

House File 649 - Introduced

HOUSE FILE 649

BY COMMITTEE ON APPROPRIATIONS

A BILL FOR

1 An Act relating to and making appropriations for health and
2 human services and including other related provisions and
3 appropriations, and including effective, retroactive, and
4 applicability date provisions.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

DIVISION I

DEPARTMENT ON AGING

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Section 1. DEPARTMENT ON AGING. There is appropriated from the general fund of the state to the department on aging for the fiscal year beginning July 1, 2011, and ending June 30, 2012, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For aging programs for the department on aging and area agencies on aging to provide citizens of Iowa who are 60 years of age and older with case management for frail elders, Iowa's aging and disabilities resource center, and other services which may include but are not limited to adult day services, respite care, chore services, information and assistance, and material aid, for information and options counseling for persons with disabilities who are 18 years of age or older, and for salaries, support, administration, maintenance, and miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	9,852,577
.....	FTEs	35.00

1. a. Funds appropriated in this section may be used to supplement federal funds under federal regulations. To receive funds appropriated in this section, a local area agency on aging shall match the funds with moneys from other sources according to rules adopted by the department. Funds appropriated in this section may be used for elderly services not specifically enumerated in this section only if approved by an area agency on aging for provision of the service within the area.

b. To receive funds appropriated in this section, a local area agency on aging shall reduce administrative costs by at least 10 percent in accordance with rules adopted by the department. The department on aging may adopt administrative rules under section 17A.4, subsection 3, and section 17A.5, subsection 2, paragraph "b", for purposes of this lettered

1 paragraph.

2 2. Of the funds appropriated in this section, \$179,946 shall
3 be transferred to the department of economic development for
4 the Iowa commission on volunteer services to be used for the
5 retired and senior volunteer program.

6 3. a. The department on aging shall establish and enforce
7 procedures relating to expenditure of state and federal funds
8 by area agencies on aging that require compliance with both
9 state and federal laws, rules, and regulations, including but
10 not limited to all of the following:

11 (1) Requiring that expenditures are incurred only for goods
12 or services received or performed prior to the end of the
13 fiscal period designated for use of the funds.

14 (2) Prohibiting prepayment for goods or services not
15 received or performed prior to the end of the fiscal period
16 designated for use of the funds.

17 (3) Prohibiting the prepayment for goods or services
18 not defined specifically by good or service, time period, or
19 recipient.

20 (4) Prohibiting the establishment of accounts from which
21 future goods or services which are not defined specifically by
22 good or service, time period, or recipient, may be purchased.

23 b. The procedures shall provide that if any funds are
24 expended in a manner that is not in compliance with the
25 procedures and applicable federal and state laws, rules, and
26 regulations, and are subsequently subject to repayment, the
27 area agency on aging expending such funds in contravention of
28 such procedures, laws, rules and regulations, not the state,
29 shall be liable for such repayment.

30 DIVISION II

31 DEPARTMENT OF PUBLIC HEALTH

32 Sec. 2. DEPARTMENT OF PUBLIC HEALTH. The allocations
33 made in this section may include amounts carried forward from
34 appropriations and allocations made for the same purposes in
35 the previous fiscal year. There is appropriated from the

1 general fund of the state to the department of public health
2 for the fiscal year beginning July 1, 2011, and ending June
3 30, 2012, the following amounts, or so much thereof as is
4 necessary, to be used for the purposes designated:

5 1. ADDICTIVE DISORDERS

6 For reducing the prevalence of use of tobacco, alcohol, and
7 other drugs, and treating individuals affected by addictive
8 behaviors, including gambling, and for not more than the
9 following full-time equivalent positions:

10	\$ 20,703,190
11	FTEs 13.00

12 a. (1) Of the funds appropriated in this subsection,
13 \$453,830 shall be transferred to the alcoholic beverages
14 division of the department of commerce for enforcement of
15 tobacco laws, regulations, and ordinances in accordance with
16 2011 Iowa Acts, House File 467, if enacted.

17 (2) Implementation of the tobacco use prevention and
18 control initiative for the fiscal year beginning July 1, 2011,
19 including efforts at the state and local levels, as provided
20 in chapter 142A, shall be limited to the extent of the funding
21 available.

22 b. Of the funds appropriated in this subsection,
23 \$20,249,360 shall be used for substance abuse and problem
24 gambling prevention and treatment.

25 (1) Of the funds allocated in this paragraph "b", up
26 to \$2,579,000 may be used for problem gambling prevention
27 programming, treatment, and recovery services and related
28 support.

29 (2) Of the funds allocated in this paragraph "b", up
30 to \$100,000 may be used for the licensing of problem gambling
31 treatment programs.

32 c. Notwithstanding any provision of law to the contrary,
33 to standardize the availability, delivery, cost of delivery,
34 and accountability of problem gambling and substance abuse
35 treatment services statewide, the department shall continue

1 implementation of a process to create a system for delivery
2 of the treatment services in accordance with the requirements
3 specified in 2008 Iowa Acts, chapter 1187, section 3,
4 subsection 4. To ensure the system provides a continuum of
5 treatment services that best meets the needs of Iowans, the
6 problem gambling and substance abuse treatment services in an
7 area may be provided either by a single agency or by separate
8 agencies submitting a joint proposal.

9 (1) The system for delivery of substance abuse and problem
10 gambling treatment shall include problem gambling prevention.

11 (a) The system for delivery of substance abuse and problem
12 gambling treatment and problem gambling prevention shall
13 include 24-hour helpline services, public information and
14 resources, and program evaluation.

15 (b) The process to create a system for delivery of substance
16 abuse and problem gambling treatment and problem gambling
17 prevention shall be completed by July 1, 2012. The department
18 shall submit a proposed legislative bill in accordance with
19 section 2.16, for consideration during the 2012 legislative
20 session, addressing any statutory revisions necessary for full
21 implementation of the system.

22 (2) The system for delivery of substance abuse and problem
23 gambling treatment and problem gambling prevention shall be
24 expanded to include substance abuse prevention by July 1, 2014.

25 (3) From the amounts designated for gambling and substance
26 abuse treatment, the department may use up to \$100,000 for
27 administrative costs to continue developing and implementing
28 the process in accordance with this subparagraph (3).

29 d. Of the funds allocated in paragraph "b", \$17,132,508
30 shall be used for substance abuse treatment and prevention.

31 (1) Of the funds allocated in this lettered paragraph,
32 \$899,300 shall be used for the public purpose of a grant
33 program to provide substance abuse prevention programming for
34 children.

35 (a) Of the funds allocated in this subparagraph, \$427,539

1 shall be utilized for the public purpose of providing grant
2 funding for organizations that provide programming for children
3 by utilizing mentors. Programs approved for such grants
4 shall be certified or will be certified within six months of
5 receiving the grant award by the Iowa commission on volunteer
6 services as utilizing the standards for effective practice for
7 mentoring programs.

8 (b) Of the funds allocated in this subparagraph, \$426,839
9 shall be utilized for the public purpose of providing grant
10 funding for organizations that provide programming that
11 includes youth development and leadership. The programs shall
12 also be recognized as being programs that are scientifically
13 based with evidence of their effectiveness in reducing
14 substance abuse in children.

15 (c) The Iowa department of public health shall utilize a
16 request for proposals process to implement the grant program.

17 (d) All grant recipients shall participate in a program
18 evaluation as a requirement for receiving grant funds.

19 (e) Of the funds allocated for the grant program, \$44,922
20 shall be used to administer substance abuse prevention grants
21 and for program evaluations.

22 (2) It is the intent of the general assembly that from the
23 moneys allocated in this lettered paragraph persons with a dual
24 diagnosis of substance abuse and gambling addictions shall be
25 given priority in treatment services.

26 e. Of the funds appropriated in this subsection, \$273,062
27 shall be used for culturally competent substance abuse
28 treatment pilot projects.

29 (1) The department shall utilize the amount allocated
30 in this lettered paragraph for at least three pilot projects
31 to provide culturally competent substance abuse treatment in
32 various areas of the state. Each pilot project shall target
33 a particular ethnic minority population. The populations
34 targeted shall include but are not limited to African-American,
35 Asian, and Latino.

1 (2) The pilot project requirements shall provide for
2 documentation or other means to ensure access to the cultural
3 competence approach used by a pilot project so that such
4 approach can be replicated and improved upon in successor
5 programs.

6 f. The requirement of section 123.53, subsection 5, is met
7 by the appropriations and allocations made in this Act for
8 purposes of substance abuse treatment and addictive disorders
9 for the fiscal year beginning July 1, 2011.

10 g. The department of public health shall work with all other
11 departments that fund substance abuse prevention and treatment
12 services and all such departments shall collectively meet the
13 state maintenance of effort requirements for expenditures
14 for substance abuse services as required under the federal
15 substance abuse prevention and treatment block grant.

16 h. The department shall amend or otherwise revise
17 departmental policies and contract provisions in order to
18 eliminate free t-shirt distribution, banner production, and
19 other unnecessary promotional expenditures.

20 2. HEALTHY CHILDREN AND FAMILIES

21 For promoting the optimum health status for children,
22 adolescents from birth through 21 years of age, and families,
23 and for not more than the following full-time equivalent
24 positions:

25	\$	2,451,905
26	FTEs	10.00

27 a. Of the funds appropriated in this subsection, not more
28 than \$639,318 shall be used for the healthy opportunities to
29 experience success (HOPES)-healthy families Iowa (HFI) program
30 established pursuant to section 135.106. The funding shall
31 be distributed to renew the grants that were provided to the
32 grantees that operated the program during the fiscal year
33 ending June 30, 2011.

34 b. Of the funds appropriated in this subsection, \$287,520
35 shall be used to continue to address the healthy mental

1 development of children from birth through five years of age
2 through local evidence-based strategies that engage both the
3 public and private sectors in promoting healthy development,
4 prevention, and treatment for children.

5 c. Of the funds appropriated in this subsection, \$31,597
6 shall be distributed to a statewide dental carrier to provide
7 funds to continue the donated dental services program patterned
8 after the projects developed by the national foundation of
9 dentistry for the handicapped to provide dental services to
10 indigent elderly and disabled individuals.

11 d. Of the funds appropriated in this subsection, \$112,677
12 shall be used for childhood obesity prevention.

13 e. Of the funds appropriated in this subsection, \$163,760
14 shall be used to provide audiological services and hearing
15 aids for children. The department may enter into a contract
16 to administer this paragraph.

17 3. CHRONIC CONDITIONS

18 For serving individuals identified as having chronic
19 conditions or special health care needs, and for not more than
20 the following full-time equivalent positions:

21	\$	3,386,865
22	FTEs	4.00

23 a. Of the funds appropriated in this subsection, \$136,808
24 shall be used for grants to individual patients who have
25 phenylketonuria (PKU) to assist with the costs of necessary
26 special foods.

27 b. Of the funds appropriated in this subsection, \$383,600
28 is allocated for continuation of the contracts for resource
29 facilitator services in accordance with section 135.22B,
30 subsection 9, and for brain injury training services and
31 recruiting of service providers to increase the capacity within
32 this state to address the needs of individuals with brain
33 injuries and such individuals' families.

34 c. Of the funds appropriated in this subsection, \$468,874
35 shall be used as additional funding to leverage federal funding

1 through the federal Ryan White Care Act, Tit. II, AIDS drug
2 assistance program supplemental drug treatment grants.

3 d. Of the funds appropriated in this subsection, \$31,254
4 shall be used for the public purpose of providing a grant to an
5 existing national-affiliated organization to provide education,
6 client-centered programs, and client and family support for
7 people living with epilepsy and their families.

8 e. Of the funds appropriated in this subsection, \$770,791
9 shall be used for child health specialty clinics.

10 f. Of the funds appropriated in this subsection, \$733,311
11 shall be used for the comprehensive cancer control program to
12 reduce the burden of cancer in Iowa through prevention, early
13 detection, effective treatment, and ensuring quality of life.
14 Of the funds allocated in this lettered paragraph, \$363,987
15 shall be used to support a melanoma research symposium, a
16 melanoma biorepository and registry, basic and translational
17 melanoma research, and clinical trials.

18 g. Of the funds appropriated in this subsection, \$134,560
19 shall be used for cervical and colon cancer screening.

20 h. Of the funds appropriated in this subsection, \$421,782
21 shall be used for the center for congenital and inherited
22 disorders.

23 i. Of the funds appropriated in this subsection, \$129,937
24 shall be used for the prescription drug donation repository
25 program created in chapter 135M.

26 4. COMMUNITY CAPACITY

27 For strengthening the health care delivery system at the
28 local level, and for not more than the following full-time
29 equivalent positions:

30	\$	3,610,740
31	FTEs	14.00

32 a. Of the funds appropriated in this subsection, \$33,081
33 is allocated for a child vision screening program implemented
34 through the university of Iowa hospitals and clinics in
35 collaboration with early childhood Iowa areas.

1 b. Of the funds appropriated in this subsection, \$118,981 is
2 allocated for continuation of an initiative implemented at the
3 university of Iowa and \$107,420 is allocated for continuation
4 of an initiative at the state mental health institute at
5 Cherokee to expand and improve the workforce engaged in
6 mental health treatment and services. The initiatives shall
7 receive input from the university of Iowa, the department
8 of human services, the department of public health, and the
9 mental health, mental retardation, developmental disabilities,
10 and brain injury commission to address the focus of the
11 initiatives.

12 c. Of the funds appropriated in this subsection, \$1,171,491
13 shall be used for essential public health services that promote
14 healthy aging throughout the lifespan, contracted through a
15 formula for local boards of health, to enhance health promotion
16 and disease prevention services.

17 d. Of the funds appropriated in this section, \$121,817 shall
18 be deposited in the governmental public health system fund
19 created in section 135A.8 to be used for the purposes of the
20 fund.

21 e. Of the funds appropriated in this subsection, \$113,605
22 shall be used for the mental health professional shortage area
23 program implemented pursuant to section 135.80.

24 f. Of the funds appropriated in this subsection,
25 \$40,900 shall be used for a grant to a statewide association
26 of psychologists that is affiliated with the American
27 psychological association to be used for continuation of a
28 program to rotate intern psychologists in placements in urban
29 and rural mental health professional shortage areas, as defined
30 in section 135.80.

31 g. Of the funds appropriated in this subsection, the
32 following amounts shall be allocated to the Iowa collaborative
33 safety net provider network established pursuant to section
34 135.153 to be used for the purposes designated:

35 (1) For distribution to the Iowa-Nebraska primary

1 care association for statewide coordination of the Iowa
2 collaborative safety net provider network:
3 \$ 116,597
4 (2) For distribution to the local boards of health that
5 provide direct services for pilot programs in three counties to
6 assist patients in determining an appropriate medical home:
7 \$ 68,332
8 (3) For distribution to maternal and child health centers
9 for pilot programs in three counties to assist patients in
10 determining an appropriate medical home:
11 \$ 68,332
12 (4) For distribution to free clinics for necessary
13 infrastructure, statewide coordination, provider recruitment,
14 service delivery, and provision of assistance to patients in
15 determining an appropriate medical home:
16 \$ 113,754
17 (5) For distribution to rural health clinics for necessary
18 infrastructure, statewide coordination, provider recruitment,
19 service delivery, and provision of assistance to patients in
20 determining an appropriate medical home:
21 \$ 101,264
22 (6) For continuation of the safety net provider patient
23 access to specialty health care initiative as described in 2007
24 Iowa Acts, chapter 218, section 109:
25 \$ 238,420
26 (7) For continuation of the pharmaceutical infrastructure
27 for safety net providers as described in 2007 Iowa Acts,
28 chapter 218, section 108:
29 \$ 247,590
30 The Iowa collaborative safety net provider network may
31 continue to distribute funds allocated pursuant to this
32 lettered paragraph through existing contracts or renewal of
33 existing contracts.
34 h. The department shall utilize funds received through
35 the grant by the United States department of health and human

1 services, health resources and services administration to
2 develop and pilot a training and credentialing model for direct
3 care professionals, to the extent allowable, to continue
4 implementation of the recommendations of the direct care worker
5 task force established pursuant to 2005 Iowa Acts, chapter 88,
6 based upon the report submitted to the governor and the general
7 assembly in December 2006.

8 i. The department may utilize one of the full-time
9 equivalent positions authorized in this subsection for
10 administration of the activities related to the Iowa
11 collaborative safety net provider network.

12 j. Of the funds appropriated in this subsection, the
13 department may use up to \$60,000 for up to one full-time
14 equivalent position to administer the volunteer health care
15 provider program pursuant to section 135.24.

16 5. HEALTHY AGING

17 To provide public health services that reduce risks and
18 invest in promoting and protecting good health over the
19 course of a lifetime with a priority given to older Iowans and
20 vulnerable populations:

21 \$ 7,297,142

22 a. Of the funds appropriated in this subsection, \$2,009,187
23 shall be used for local public health nursing services.

24 b. Of the funds appropriated in this subsection, \$5,287,955
25 shall be used for home care aide services.

26 6. ENVIRONMENTAL HAZARDS

27 For reducing the public's exposure to hazards in the
28 environment, primarily chemical hazards, and for not more than
29 the following full-time equivalent positions:

30 \$ 813,777

31 FTEs 4.00

32 Of the funds appropriated in this subsection, \$575,631 shall
33 be used for childhood lead poisoning provisions.

34 7. INFECTIOUS DISEASES

35 For reducing the incidence and prevalence of communicable

1 diseases, and for not more than the following full-time
2 equivalent positions:

3 \$ 1,345,847
4 FTEs 4.00

5 8. PUBLIC PROTECTION

6 For protecting the health and safety of the public through
7 establishing standards and enforcing regulations, and for not
8 more than the following full-time equivalent positions:

9 \$ 2,906,532
10 FTEs 125.00

11 a. Of the funds appropriated in this subsection, not more
12 than \$424,146 shall be credited to the emergency medical
13 services fund created in section 135.25. Moneys in the
14 emergency medical services fund are appropriated to the
15 department to be used for the purposes of the fund.

16 b. Of the funds appropriated in this subsection, \$210,619
17 shall be used for sexual violence prevention programming
18 through a statewide organization representing programs serving
19 victims of sexual violence through the department's sexual
20 violence prevention program. The amount allocated in this
21 lettered paragraph shall not be used to supplant funding
22 administered for other sexual violence prevention or victims
23 assistance programs.

24 c. Of the funds appropriated in this subsection, not more
25 than \$436,582 shall be used for the state poison control
26 center.

27 d. If 2011 Iowa Acts, House File 457, is enacted, the
28 department of public health shall transfer \$189,196 to the
29 department of agriculture and land stewardship for the purposes
30 of performing functions pursuant to section 192.109, as amended
31 by House File 457.

32 9. RESOURCE MANAGEMENT

33 For establishing and sustaining the overall ability of the
34 department to deliver services to the public, and for not more
35 than the following full-time equivalent positions:

1	\$	819,554
2	FTEs	7.00

3 The university of Iowa hospitals and clinics under the
4 control of the state board of regents shall not receive
5 indirect costs from the funds appropriated in this section.
6 The university of Iowa hospitals and clinics billings to the
7 department shall be on at least a quarterly basis.

DIVISION III

DEPARTMENT OF VETERANS AFFAIRS

10 Sec. 3. DEPARTMENT OF VETERANS AFFAIRS. There is
11 appropriated from the general fund of the state to the
12 department of veterans affairs for the fiscal year beginning
13 July 1, 2011, and ending June 30, 2012, the following amounts,
14 or so much thereof as is necessary, to be used for the purposes
15 designated:

16 1. DEPARTMENT OF VETERANS AFFAIRS ADMINISTRATION

17 For salaries, support, maintenance, and miscellaneous
18 purposes, including the war orphans educational assistance fund
19 created in section 35.8, and for not more than the following
20 full-time equivalent positions:

21	\$	998,832
22	FTEs	16.34

23 2. IOWA VETERANS HOME

24 For salaries, support, maintenance, and miscellaneous
25 purposes:

26	\$	8,952,151
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27 a. The Iowa veterans home billings involving the department
28 of human services shall be submitted to the department on at
29 least a monthly basis.

30 b. If there is a change in the employer of employees
31 providing services at the Iowa veterans home under a collective
32 bargaining agreement, such employees and the agreement shall
33 be continued by the successor employer as though there had not
34 been a change in employer.

35 c. Within available resources and in conformance with

1 associated state and federal program eligibility requirements,
2 the Iowa veterans home may implement measures to provide
3 financial assistance to or on behalf of veterans or their
4 spouses participating in the community reentry program.

5 3. STATE EDUCATIONAL ASSISTANCE — CHILDREN OF DECEASED
6 VETERANS

7 For provision of educational assistance pursuant to section
8 35.9:

9 \$ 12,416

10 Sec. 4. LIMITATION OF COUNTY COMMISSION OF VETERANS AFFAIRS
11 FUND STANDING APPROPRIATIONS. Notwithstanding the standing
12 appropriation in the following designated section for the
13 fiscal year beginning July 1, 2011, and ending June 30, 2012,
14 the amounts appropriated from the general fund of the state
15 pursuant to that section for the following designated purposes
16 shall not exceed the following amount:

17 For the county commissions of veterans affairs fund under
18 section 35A.16:

19 \$ 990,000

20 DIVISION IV

21 DEPARTMENT OF HUMAN SERVICES

22 Sec. 5. TEMPORARY ASSISTANCE FOR NEEDY FAMILIES BLOCK
23 GRANT. There is appropriated from the fund created in section
24 8.41 to the department of human services for the fiscal year
25 beginning July 1, 2011, and ending June 30, 2012, from moneys
26 received under the federal temporary assistance for needy
27 families (TANF) block grant pursuant to the federal Personal
28 Responsibility and Work Opportunity Reconciliation Act of 1996,
29 Pub. L. No. 104-193, and successor legislation, and from moneys
30 received under the emergency contingency fund for temporary
31 assistance for needy families state program established
32 pursuant to the federal American Recovery and Reinvestment Act
33 of 2009, Pub. L. No. 111-5 § 2101, and successor legislation,
34 the following amounts, or so much thereof as is necessary, to
35 be used for the purposes designated:

1 1. To be credited to the family investment program account
2 and used for assistance under the family investment program
3 under chapter 239B:

4 \$ 21,500,738

5 2. To be credited to the family investment program account
6 and used for the job opportunities and basic skills (JOBS)
7 program and implementing family investment agreements in
8 accordance with chapter 239B:

9 \$ 12,411,528

10 Notwithstanding section 8.33, not more than 5 percent of
11 the moneys designated in this subsection that are allocated
12 by the department for contracted services, other than
13 family self-sufficiency grant services allocated under this
14 subsection, that remain unencumbered or unobligated at the
15 close of the fiscal year shall not revert but shall remain
16 available for expenditure for the purposes designated until
17 the close of the succeeding fiscal year. However, unless such
18 moneys are encumbered or obligated on or before September 30,
19 2012, the moneys shall revert.

20 3. To be used for the family development and
21 self-sufficiency grant program in accordance with section
22 216A.107:

23 \$ 2,898,980

24 Notwithstanding section 8.33, moneys appropriated in this
25 subsection that remain unencumbered or unobligated at the close
26 of the fiscal year shall not revert but shall remain available
27 for expenditure for the purposes designated until the close of
28 the succeeding fiscal year. However, unless such moneys are
29 encumbered or obligated on or before September 30, 2012, the
30 moneys shall revert.

31 4. For field operations:

32 \$ 31,296,232

33 5. For general administration:

34 \$ 3,744,000

35 6. For state child care assistance:

1 \$ 16,382,687

2 The funds appropriated in this subsection shall be
3 transferred to the child care and development block grant
4 appropriation made by the Eighty-fourth General Assembly, 2011
5 Session, for the federal fiscal year beginning October 1,
6 2011, and ending September 30, 2012. Of this amount, \$200,000
7 shall be used for provision of educational opportunities to
8 registered child care home providers in order to improve
9 services and programs offered by this category of providers
10 and to increase the number of providers. The department may
11 contract with institutions of higher education or child care
12 resource and referral centers to provide the educational
13 opportunities. Allowable administrative costs under the
14 contracts shall not exceed 5 percent. The application for a
15 grant shall not exceed two pages in length.

16 7. For mental health and developmental disabilities
17 community services:

18 \$ 4,894,052

19 8. For child and family services:

20 \$ 32,084,430

21 9. For child abuse prevention grants:

22 \$ 125,000

23 10. For pregnancy prevention grants on the condition that
24 family planning services are funded:

25 \$ 1,930,067

26 Pregnancy prevention grants shall be awarded to pregnancy
27 prevention programs that are based on existing models that
28 have demonstrated positive outcomes. Grants shall comply with
29 the requirements provided in 1997 Iowa Acts, chapter 208,
30 section 14, subsections 1 and 2, including the requirement that
31 grant programs must emphasize sexual abstinence. Priority in
32 the awarding of grants shall be given to programs that serve
33 areas of the state which demonstrate the highest percentage of
34 unplanned pregnancies of females of childbearing age within the
35 geographic area to be served by the grant.

1 11. For technology needs and other resources necessary
2 to meet federal welfare reform reporting, tracking, and case
3 management requirements:

4 \$ 1,037,186

5 12. To be credited to the state child care assistance
6 appropriation made in this section to be used for funding of
7 community-based early childhood programs targeted to children
8 from birth through five years of age developed by early
9 childhood Iowa areas as provided in section 256I.11:

10 \$ 6,350,000

11 The department shall transfer TANF block grant funding
12 appropriated and allocated in this subsection to the child care
13 and development block grant appropriation in accordance with
14 federal law as necessary to comply with the provisions of this
15 subsection.

16 13. a. Notwithstanding any provision to the contrary,
17 including but not limited to requirements in section 8.41 or
18 provisions in 2010 or 2011 Iowa Acts regarding the receipt
19 and appropriation of federal block grants, federal funds
20 from the emergency contingency fund for temporary assistance
21 for needy families state program established pursuant to the
22 federal American Recovery and Reinvestment Act of 2009, Pub.
23 L. No. 111-5 § 2101, received by the state during the fiscal
24 year beginning July 1, 2010, and ending June 30, 2011, not
25 otherwise appropriated in this section and remaining available
26 as of July 1, 2011, and received by the state during the fiscal
27 year beginning July 1, 2011, and ending June 30, 2012, are
28 appropriated to the extent as may be necessary to be used in
29 the following priority order: the family investment program
30 for the fiscal year and for state child care assistance program
31 payments for individuals enrolled in the family investment
32 program who are employed. The federal funds appropriated in
33 this paragraph "a" shall be expended only after all other
34 funds appropriated in subsection 1 for the assistance under
35 the family investment program under chapter 239B have been

1 expended.

2 b. The department shall, on a quarterly basis, advise the
3 legislative services agency and department of management of
4 the amount of funds appropriated in this subsection that was
5 expended in the prior quarter.

6 14. Of the amounts appropriated in this section,
7 \$12,962,008 for the fiscal year beginning July 1, 2011, shall
8 be transferred to the appropriation of the federal social
9 services block grant made for that fiscal year.

10 15. For continuation of the program allowing the department
11 to maintain categorical eligibility for the food assistance
12 program as required under the section of this division relating
13 to the family investment account:

14 \$ 146,072

15 16. The department may transfer funds allocated in this
16 section to the appropriations made in this Act for general
17 administration and field operations for resources necessary to
18 implement and operate the services referred to in this section
19 and those funded in the appropriation made in this division of
20 this Act for the family investment program from the general
21 fund of the state.

22 Sec. 6. FAMILY INVESTMENT PROGRAM ACCOUNT.

23 1. Moneys credited to the family investment program (FIP)
24 account for the fiscal year beginning July 1, 2011, and
25 ending June 30, 2012, shall be used to provide assistance in
26 accordance with chapter 239B.

27 2. The department may use a portion of the moneys credited
28 to the FIP account under this section as necessary for
29 salaries, support, maintenance, and miscellaneous purposes.

30 3. The department may transfer funds allocated in
31 this section to the appropriations in this Act for general
32 administration and field operations for resources necessary to
33 implement and operate the services referred to in this section
34 and those funded in the appropriation made in this division of
35 this Act for the family investment program from the general

1 fund of the state.

2 4. Moneys appropriated in this division of this Act and
3 credited to the FIP account for the fiscal year beginning July
4 1, 2011, and ending June 30, 2012, are allocated as follows:

5 a. To be retained by the department of human services to
6 be used for coordinating with the department of human rights
7 to more effectively serve participants in the FIP program and
8 other shared clients and to meet federal reporting requirements
9 under the federal temporary assistance for needy families block
10 grant:

11 \$ 20,000

12 b. To the department of human rights for staffing,
13 administration, and implementation of the family development
14 and self-sufficiency grant program in accordance with section
15 216A.107:

16 \$ 5,342,834

17 (1) Of the funds allocated for the family development and
18 self-sufficiency grant program in this lettered paragraph,
19 not more than 5 percent of the funds shall be used for the
20 administration of the grant program.

21 (2) The department of human rights may continue to implement
22 the family development and self-sufficiency grant program
23 statewide during fiscal year 2011-2012.

24 c. For the diversion subaccount of the FIP account:

25 \$ 1,698,400

26 A portion of the moneys allocated for the subaccount may
27 be used for field operations salaries, data management system
28 development, and implementation costs and support deemed
29 necessary by the director of human services in order to
30 administer the FIP diversion program.

31 d. For the food stamp employment and training program:

32 \$ 66,588

33 (1) The department shall amend the food stamp employment and
34 training state plan in order to maximize to the fullest extent
35 permitted by federal law the use of the 50-50 match provisions

1 for the claiming of allowable federal matching funds from the
2 United States department of agriculture pursuant to the federal
3 food stamp employment and training program for providing
4 education, employment, and training services for eligible food
5 assistance program participants, including but not limited to
6 related dependent care and transportation expenses.

7 (2) The department shall continue the categorical federal
8 food assistance program eligibility at 160 percent of the
9 federal poverty level and continue to eliminate the asset test
10 from eligibility requirements, consistent with federal food
11 assistance program requirements. The department shall include
12 as many food assistance households as is allowed by federal
13 law. The eligibility provisions shall conform to all federal
14 requirements including requirements addressing individuals who
15 are incarcerated or otherwise ineligible.

16 e. For the JOBS program:

17 \$ 20,235,905

18 5. Of the child support collections assigned under FIP,
19 an amount equal to the federal share of support collections
20 shall be credited to the child support recovery appropriation
21 made in this division of this Act. Of the remainder of the
22 assigned child support collections received by the child
23 support recovery unit, a portion shall be credited to the FIP
24 account, a portion may be used to increase recoveries, and a
25 portion may be used to sustain cash flow in the child support
26 payments account. If as a consequence of the appropriations
27 and allocations made in this section the resulting amounts
28 are insufficient to sustain cash assistance payments and meet
29 federal maintenance of effort requirements, the department
30 shall seek supplemental funding. If child support collections
31 assigned under FIP are greater than estimated or are otherwise
32 determined not to be required for maintenance of effort, the
33 state share of either amount may be transferred to or retained
34 in the child support payment account.

35 6. The department may adopt emergency rules for the family

1 investment, JOBS, food stamp, and medical assistance programs
2 if necessary to comply with federal requirements.

3 Sec. 7. FAMILY INVESTMENT PROGRAM GENERAL FUND. There
4 is appropriated from the general fund of the state to the
5 department of human services for the fiscal year beginning July
6 1, 2011, and ending June 30, 2012, the following amount, or
7 so much thereof as is necessary, to be used for the purpose
8 designated:

9 To be credited to the family investment program (FIP)
10 account and used for family investment program assistance under
11 chapter 239B:

12 \$ 50,421,027

13 1. Of the funds appropriated in this section, \$7,824,377 is
14 allocated for the JOBS program.

15 2. Of the funds appropriated in this section, \$2,463,854 is
16 allocated for the family development and self-sufficiency grant
17 program.

18 3. Notwithstanding section 8.39, for the fiscal year
19 beginning July 1, 2011, if necessary to meet federal
20 maintenance of effort requirements or to transfer federal
21 temporary assistance for needy families block grant funding
22 to be used for purposes of the federal social services block
23 grant or to meet cash flow needs resulting from delays in
24 receiving federal funding or to implement, in accordance with
25 this division of this Act, activities currently funded with
26 juvenile court services, county, or community moneys and state
27 moneys used in combination with such moneys, the department
28 of human services may transfer funds within or between any
29 of the appropriations made in this division of this Act and
30 appropriations in law for the federal social services block
31 grant to the department for the following purposes, provided
32 that the combined amount of state and federal temporary
33 assistance for needy families block grant funding for each
34 appropriation remains the same before and after the transfer:

35 a. For the family investment program.

1 issued directly to private not-for-profit agencies that provide
2 services designed to increase compliance with the child access
3 provisions of court orders, including but not limited to
4 neutral visitation sites and mediation services.

5 3. The appropriation made to the department for child
6 support recovery may be used throughout the fiscal year in the
7 manner necessary for purposes of cash flow management, and for
8 cash flow management purposes the department may temporarily
9 draw more than the amount appropriated, provided the amount
10 appropriated is not exceeded at the close of the fiscal year.

11 4. With the exception of the funding amount specified, the
12 requirements established under 2001 Iowa Acts, chapter 191,
13 section 3, subsection 5, paragraph "c", subparagraph (3), shall
14 be applicable to parental obligation pilot projects for the
15 fiscal year beginning July 1, 2011, and ending June 30, 2012.

16 Sec. 9. HEALTH CARE TRUST FUND — MEDICAL ASSISTANCE. Any
17 funds remaining in the health care trust fund created in
18 section 453A.35A for the fiscal year beginning July 1, 2011,
19 and ending June 30, 2012, are appropriated to the department
20 of human services to supplement the medical assistance program
21 appropriations made in this Act, for medical assistance
22 reimbursement and associated costs, including program
23 administration and costs associated with implementation.

24 Sec. 10. MEDICAL ASSISTANCE. There is appropriated from the
25 general fund of the state to the department of human services
26 for the fiscal year beginning July 1, 2011, and ending June 30,
27 2012, the following amount, or so much thereof as is necessary,
28 to be used for the purpose designated:

29 For medical assistance reimbursement and associated costs
30 as specifically provided in the reimbursement methodologies
31 in effect on June 30, 2011, except as otherwise expressly
32 authorized by law, including reimbursement for abortion
33 services which shall be available under the medical assistance
34 program only for those abortions which are medically necessary:
35 \$897,237,190

1 1. Medically necessary abortions are those performed under
2 any of the following conditions:

3 a. The attending physician certifies that continuing the
4 pregnancy would endanger the life of the pregnant woman.

5 b. Any spontaneous abortion, commonly known as a
6 miscarriage, if not all of the products of conception are
7 expelled.

8 2. The department shall utilize not more than \$60,000 of
9 the funds appropriated in this section to continue the AIDS/HIV
10 health insurance premium payment program as established in 1992
11 Iowa Acts, Second Extraordinary Session, chapter 1001, section
12 409, subsection 6. Of the funds allocated in this subsection,
13 not more than \$5,000 may be expended for administrative
14 purposes.

15 3. Of the funds appropriated in this Act to the department
16 of public health for addictive disorders, \$950,000 for the
17 fiscal year beginning July 1, 2011, shall be transferred to
18 the department of human services for an integrated substance
19 abuse managed care system. The department shall not assume
20 management of the substance abuse system in place of the
21 managed care contractor unless such a change in approach is
22 specifically authorized in law. The departments of human
23 services and public health shall work together to maintain
24 the level of mental health and substance abuse services
25 provided by the managed care contractor through the Iowa plan
26 for behavioral health. Each department shall take the steps
27 necessary to continue the federal waivers as necessary to
28 maintain the level of services.

29 4. a. The department shall aggressively pursue options for
30 providing medical assistance or other assistance to individuals
31 with special needs who become ineligible to continue receiving
32 services under the early and periodic screening, diagnostic,
33 and treatment program under the medical assistance program
34 due to becoming 21 years of age who have been approved for
35 additional assistance through the department's exception to

1 policy provisions, but who have health care needs in excess
2 of the funding available through the exception to policy
3 provisions.

4 b. Of the funds appropriated in this section, \$100,000
5 shall be used for participation in one or more pilot projects
6 operated by a private provider to allow the individual or
7 individuals to receive service in the community in accordance
8 with principles established in *Olmstead v. L.C.*, 527 U.S. 581
9 (1999), for the purpose of providing medical assistance or
10 other assistance to individuals with special needs who become
11 ineligible to continue receiving services under the early and
12 periodic screening, diagnosis, and treatment program under
13 the medical assistance program due to becoming 21 years of
14 age who have been approved for additional assistance through
15 the department's exception to policy provisions, but who have
16 health care needs in excess of the funding available through
17 the exception to the policy provisions.

18 5. Of the funds appropriated in this section, up to
19 \$3,050,082 may be transferred to the field operations
20 or general administration appropriations in this Act for
21 operational costs associated with Part D of the federal
22 Medicare Prescription Drug Improvement and Modernization Act
23 of 2003, Pub. L. No. 108-173.

24 6. Of the funds appropriated in this section, up to \$442,100
25 may be transferred to the appropriation in this Act for medical
26 contracts to be used for clinical assessment services related
27 to remedial services in accordance with federal law.

28 7. A portion of the funds appropriated in this section
29 may be transferred to the appropriations in this division of
30 this Act for general administration, medical contracts, the
31 children's health insurance program, or field operations to be
32 used for the state match cost to comply with the payment error
33 rate measurement (PERM) program for both the medical assistance
34 and children's health insurance programs as developed by the
35 centers for Medicare and Medicaid services of the United States

1 department of health and human services to comply with the
2 federal Improper Payments Information Act of 2002, Pub. L. No.
3 107-300.

4 8. It is the intent of the general assembly that the
5 department continue to implement the recommendations of
6 the assuring better child health and development initiative
7 II (ABCDII) clinical panel to the Iowa early and periodic
8 screening, diagnostic, and treatment services healthy mental
9 development collaborative board regarding changes to billing
10 procedures, codes, and eligible service providers.

11 9. Of the funds appropriated in this section, a sufficient
12 amount is allocated to supplement the incomes of residents of
13 nursing facilities, intermediate care facilities for persons
14 with mental illness, and intermediate care facilities for
15 persons with mental retardation, with incomes of less than \$50
16 in the amount necessary for the residents to receive a personal
17 needs allowance of \$50 per month pursuant to section 249A.30A.

18 10. Of the funds appropriated in this section, the following
19 amounts shall be transferred to the appropriations made in this
20 division of this Act for the state mental health institutes:

- 21 a. Cherokee mental health institute \$ 9,098,425
- 22 b. Clarinda mental health institute \$ 1,977,305
- 23 c. Independence mental health institute \$ 9,045,894
- 24 d. Mount Pleasant mental health institute \$ 5,752,587

25 11. a. Of the funds appropriated in this section,
26 \$7,425,684 is allocated for the state match for a
27 disproportionate share hospital payment of \$19,133,430 to
28 hospitals that meet both of the conditions specified in
29 subparagraphs (1) and (2). In addition, the hospitals that
30 meet the conditions specified shall either certify public
31 expenditures or transfer to the medical assistance program
32 an amount equal to provide the nonfederal share for a
33 disproportionate share hospital payment of \$7,500,000. The
34 hospitals that meet the conditions specified shall receive and
35 retain 100 percent of the total disproportionate share hospital

1 payment of \$26,633,430.

2 (1) The hospital qualifies for disproportionate share and
3 graduate medical education payments.

4 (2) The hospital is an Iowa state-owned hospital with more
5 than 500 beds and eight or more distinct residency specialty
6 or subspecialty programs recognized by the American college of
7 graduate medical education.

8 b. Distribution of the disproportionate share payments
9 shall be made on a monthly basis. The total amount of
10 disproportionate share payments including graduate medical
11 education, enhanced disproportionate share, and Iowa
12 state-owned teaching hospital payments shall not exceed the
13 amount of the state's allotment under Pub. L. No. 102-234.
14 In addition, the total amount of all disproportionate
15 share payments shall not exceed the hospital-specific
16 disproportionate share limits under Pub. L. No. 103-66.

17 12. The university of Iowa hospitals and clinics shall
18 either certify public expenditures or transfer to the medical
19 assistance appropriation an amount equal to provide the
20 nonfederal share for increased medical assistance payments for
21 inpatient and outpatient hospital services of \$9,900,000. The
22 university of Iowa hospitals and clinics shall receive and
23 retain 100 percent of the total increase in medical assistance
24 payments.

25 13. Of the funds appropriated in this section, up to
26 \$4,480,304 may be transferred to the IowaCare account created
27 in section 249J.24.

28 14. Of the funds appropriated in this section, \$200,000
29 shall be used for the Iowa chronic care consortium pursuant to
30 2003 Iowa Acts, chapter 112, section 12, as amended by 2003
31 Iowa Acts, chapter 179, sections 166 and 167.

32 15. One hundred percent of the nonfederal share of payments
33 to area education agencies that are medical assistance
34 providers for medical assistance-covered services provided to
35 medical assistance-covered children, shall be made from the

1 appropriation made in this section.

2 16. Any new or renewed contract entered into by the
3 department with a third party to administer behavioral health
4 services under the medical assistance program shall provide
5 that any interest earned on payments from the state during
6 the state fiscal year shall be remitted to the department
7 and treated as recoveries to offset the costs of the medical
8 assistance program.

9 17. The department shall continue to implement the
10 provisions in 2007 Iowa Acts, chapter 218, section 124 and
11 section 126, as amended by 2008 Iowa Acts, chapter 1188,
12 section 55, relating to eligibility for certain persons with
13 disabilities under the medical assistance program in accordance
14 with the federal family opportunity Act.

15 18. A portion of the funds appropriated in this section
16 may be transferred to the appropriation in this division of
17 this Act for medical contracts to be used for administrative
18 activities associated with the money follows the person
19 demonstration project.

20 19. Notwithstanding section 8.33, the portion of the
21 funds appropriated in this section that is the result of the
22 application of the increased federal medical assistance match
23 percentage under the federal American Recovery and Reinvestment
24 Act of 2009, as amended by the federal Education Jobs and
25 Medicaid Assistance Act, Pub. L. No. 111-226, or successor
26 legislation to the amount the state pays the federal government
27 as required under the federal Medicare Prescription Drug
28 Improvement and Modernization Act of 2003, known as clawback
29 payments, for the period October 1, 2008, through June 30,
30 2011, that remains unobligated or unencumbered at the close of
31 the fiscal year, shall not revert to any fund but shall remain
32 available for expenditure for the purposes of the medical
33 assistance program until the close of the succeeding fiscal
34 year.

35 20. Of the funds appropriated in this section, \$349,011

1 shall be used for the administration of the health insurance
2 premium payment program, including salaries, support,
3 maintenance, and miscellaneous purposes for the fiscal year
4 beginning July 1, 2011.

5 21. a. The department may increase the amounts allocated
6 for salaries, support, maintenance, and miscellaneous purposes
7 associated with the medical assistance program as necessary
8 to implement cost containment efforts in order to accomplish
9 medical assistance program savings. The department shall
10 report any such increase to the legislative services agency and
11 department of management.

12 b. If the savings to the medical assistance program exceed
13 the cost, the department may transfer any savings generated
14 for the fiscal year due to medical assistance program cost
15 containment efforts initiated pursuant to 2010 Iowa Acts,
16 chapter 1031, Executive Order No. 20, issued December 16,
17 2009, or cost containment efforts initiated by the department
18 during fiscal year 2011-2012, to the appropriation made in
19 this division of this Act for medical contracts or general
20 administration to defray the increased contract costs
21 associated with implementing such efforts.

22 22. The department may implement cost containment
23 strategies recommended by the governor by using a sole
24 source contract process or by expanding an existing contract
25 without using a competitive process. The department may adopt
26 emergency rules to implement the cost containment strategies
27 recommended by the governor.

28 23. The department shall report the implementation of
29 any cost containment strategies under this section to the
30 individuals specified in this Act to receive reports on a
31 quarterly basis.

32 24. Notwithstanding any provision of law to the contrary,
33 the department of human services shall amend the section
34 1915(b) waiver and Iowa plan contract to include remedial
35 services under the Iowa plan contract effective July 1, 2011.

1 Sec. 11. MEDICAL CONTRACTS. There is appropriated from the
2 general fund of the state to the department of human services
3 for the fiscal year beginning July 1, 2011, and ending June 30,
4 2012, the following amount, or so much thereof as is necessary,
5 to be used for the purpose designated:

6 For medical contracts, including salaries, support,
7 maintenance, and miscellaneous purposes, and for not more than
8 the following full-time equivalent positions:

9	\$	5,773,844
10	FTEs	2.00

11 The department of inspections and appeals shall provide all
12 state matching funds for survey and certification activities
13 performed by the department of inspections and appeals.
14 The department of human services is solely responsible for
15 distributing the federal matching funds for such activities.

16 Sec. 12. STATE SUPPLEMENTARY ASSISTANCE.

17 1. There is appropriated from the general fund of the
18 state to the department of human services for the fiscal year
19 beginning July 1, 2011, and ending June 30, 2012, the following
20 amount, or so much thereof as is necessary, to be used for the
21 purpose designated:

22 For the state supplementary assistance program:

23

	\$	16,850,747
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24 2. The department shall increase the personal needs
25 allowance for residents of residential care facilities by the
26 same percentage and at the same time as federal supplemental
27 security income and federal social security benefits are
28 increased due to a recognized increase in the cost of living.
29 The department may adopt emergency rules to implement this
30 subsection.

31 3. If during the fiscal year beginning July 1, 2011,
32 the department projects that state supplementary assistance
33 expenditures for a calendar year will not meet the federal
34 pass-through requirement specified in Tit. XVI of the federal
35 Social Security Act, section 1618, as codified in 42 U.S.C.

1 § 1382g, the department may take actions including but not
2 limited to increasing the personal needs allowance for
3 residential care facility residents and making programmatic
4 adjustments or upward adjustments of the residential care
5 facility or in-home health-related care reimbursement rates
6 prescribed in this division of this Act to ensure that federal
7 requirements are met. In addition, the department may make
8 other programmatic and rate adjustments necessary to remain
9 within the amount appropriated in this section while ensuring
10 compliance with federal requirements. The department may adopt
11 emergency rules to implement the provisions of this subsection.

12 Sec. 13. CHILDREN'S HEALTH INSURANCE PROGRAM.

13 1. There is appropriated from the general fund of the
14 state to the department of human services for the fiscal year
15 beginning July 1, 2011, and ending June 30, 2012, the following
16 amount, or so much thereof as is necessary, to be used for the
17 purpose designated:

18 For maintenance of the healthy and well kids in Iowa (hawk-i)
19 program pursuant to chapter 514I, including supplemental dental
20 services, for receipt of federal financial participation under
21 Tit. XXI of the federal Social Security Act, which creates the
22 children's health insurance program:

23 \$ 32,927,152

24 2. If the funds appropriated in this section are
25 insufficient to cover the costs of both full coverage services
26 and supplemental dental services, priority in expenditure of
27 funds shall be given to covering the costs of full coverage
28 services.

29 Sec. 14. CHILD CARE ASSISTANCE. There is appropriated
30 from the general fund of the state to the department of human
31 services for the fiscal year beginning July 1, 2011, and ending
32 June 30, 2012, the following amount, or so much thereof as is
33 necessary, to be used for the purpose designated:

34 For child care programs:

35 \$ 51,237,662

1 1. Of the funds appropriated in this section, \$49,868,235
2 shall be used for state child care assistance in accordance
3 with section 237A.13.

4 2. Nothing in this section shall be construed or is
5 intended as or shall imply a grant of entitlement for services
6 to persons who are eligible for assistance due to an income
7 level consistent with the waiting list requirements of section
8 237A.13. Any state obligation to provide services pursuant to
9 this section is limited to the extent of the funds appropriated
10 in this section.

11 3. Of the funds appropriated in this section, \$432,453 is
12 allocated for the statewide program for child care resource
13 and referral services under section 237A.26. A list of the
14 registered and licensed child care facilities operating in the
15 area served by a child care resource and referral service shall
16 be made available to the families receiving state child care
17 assistance in that area.

18 4. Of the funds appropriated in this section, \$936,974
19 is allocated for child care quality improvement initiatives
20 including but not limited to the voluntary quality rating
21 system in accordance with section 237A.30. The combined state
22 and federal funding allocated for quality improvement shall be
23 reduced by \$2,000,000 from the amount allocated for quality
24 improvement in the prior fiscal year.

25 5. The department may use any of the funds appropriated
26 in this section as a match to obtain federal funds for use in
27 expanding child care assistance and related programs. For
28 the purpose of expenditures of state and federal child care
29 funding, funds shall be considered obligated at the time
30 expenditures are projected or are allocated to the department's
31 service areas. Projections shall be based on current and
32 projected caseload growth, current and projected provider
33 rates, staffing requirements for eligibility determination
34 and management of program requirements including data systems
35 management, staffing requirements for administration of the

1 program, contractual and grant obligations and any transfers
2 to other state agencies, and obligations for decategorization
3 or innovation projects.

4 6. A portion of the state match for the federal child care
5 and development block grant shall be provided as necessary to
6 meet federal matching funds requirements through the state
7 general fund appropriation made for child development grants
8 and other programs for at-risk children in section 279.51.

9 7. If a uniform reduction ordered by the governor under
10 section 8.31 or other operation of law, transfer, or federal
11 funding reduction reduces the appropriation made in this
12 section for the fiscal year, the percentage reduction in the
13 amount paid out to or on behalf of the families participating
14 in the state child care assistance program shall be equal to or
15 less than the percentage reduction made for any other purpose
16 payable from the appropriation made in this section and the
17 federal funding relating to it. The percentage reduction to
18 the other allocations made in this section shall be the same as
19 the uniform reduction ordered by the governor or the percentage
20 change of the federal funding reduction, as applicable.

21 If there is an unanticipated increase in federal funding
22 provided for state child care assistance, the entire amount
23 of the increase shall be used for state child care assistance
24 payments. If the appropriations made for purposes of the
25 state child care assistance program for the fiscal year are
26 determined to be insufficient, it is the intent of the general
27 assembly to appropriate sufficient funding for the fiscal year
28 in order to avoid establishment of waiting list requirements.

29 8. Notwithstanding section 8.33, moneys appropriated in
30 this section or received from the federal appropriations made
31 for the purposes of this section that remain unencumbered or
32 unobligated at the close of the fiscal year shall not revert
33 to any fund but shall remain available for expenditure for the
34 purposes designated until the close of the succeeding fiscal
35 year.

1 amount allocated under the appropriation made for the purposes
2 of this section in prior years for purposes of juvenile
3 delinquent graduated sanction services, up to \$5,200,000 of the
4 amount of federal temporary assistance for needy families block
5 grant funding appropriated in this division of this Act for
6 child and family services shall be made available for purposes
7 of juvenile delinquent graduated sanction services.

8 3. The department may transfer funds appropriated in this
9 section as necessary to pay the nonfederal costs of services
10 reimbursed under the medical assistance program, state child
11 care assistance program, or the family investment program which
12 are provided to children who would otherwise receive services
13 paid under the appropriation in this section. The department
14 may transfer funds appropriated in this section to the
15 appropriations made in this division of this Act for general
16 administration and for field operations for resources necessary
17 to implement and operate the services funded in this section.

18 4. a. Of the funds appropriated in this section, up to
19 \$30,169,129 is allocated as the statewide expenditure target
20 under section 232.143 for group foster care maintenance and
21 services. If the department projects that such expenditures
22 for the fiscal year will be less than the target amount
23 allocated in this lettered paragraph, the department may
24 reallocate the excess to provide additional funding for shelter
25 care or the child welfare emergency services addressed with the
26 allocation for shelter care.

27 b. If at any time after September 30, 2011, annualization
28 of a service area's current expenditures indicates a service
29 area is at risk of exceeding its group foster care expenditure
30 target under section 232.143 by more than 5 percent, the
31 department and juvenile court services shall examine all
32 group foster care placements in that service area in order to
33 identify those which might be appropriate for termination.
34 In addition, any aftercare services believed to be needed
35 for the children whose placements may be terminated shall be

1 identified. The department and juvenile court services shall
2 initiate action to set dispositional review hearings for the
3 placements identified. In such a dispositional review hearing,
4 the juvenile court shall determine whether needed aftercare
5 services are available and whether termination of the placement
6 is in the best interest of the child and the community.

7 5. In accordance with the provisions of section 232.188,
8 the department shall continue the child welfare and juvenile
9 justice funding initiative during fiscal year 2011-2012. Of
10 the funds appropriated in this section, \$1,717,753 is allocated
11 specifically for expenditure for fiscal year 2011-2012 through
12 the decategorization service funding pools and governance
13 boards established pursuant to section 232.188.

14 6. A portion of the funds appropriated in this section
15 may be used for emergency family assistance to provide other
16 resources required for a family participating in a family
17 preservation or reunification project or successor project to
18 stay together or to be reunified.

19 7. Notwithstanding section 234.35 or any other provision
20 of law to the contrary, state funding for shelter care and
21 the child welfare emergency services contracting implemented
22 to provide for or prevent the need for shelter care shall be
23 limited in each fiscal year to \$7,170,116. The department may
24 execute contracts that result from the department's request
25 for proposal, bid number ACFS-11-114, to provide the range of
26 child welfare emergency services described in the request for
27 proposals, and any subsequent amendments to the request for
28 proposals.

29 8. Federal funds received by the state during the fiscal
30 years beginning July 1, 2011, or July 1, 2012, as the result of
31 the expenditure of state funds appropriated during a previous
32 state fiscal year for a service or activity funded under this
33 section are appropriated to the department to be used as
34 additional funding for services and purposes provided for under
35 this section. Notwithstanding section 8.33, moneys received

1 in accordance with this subsection that remain unencumbered or
2 unobligated at the close of the fiscal year shall not revert to
3 any fund but shall remain available for the purposes designated
4 until the close of the succeeding fiscal year.

5 9. Of the funds appropriated in this section, at least
6 \$3,696,285 shall be used for protective child care assistance.

7 10. a. Of the funds appropriated in this section, up to
8 \$2,062,488 is allocated for the payment of the expenses of
9 court-ordered services provided to juveniles who are under the
10 supervision of juvenile court services, which expenses are a
11 charge upon the state pursuant to section 232.141, subsection
12 4. Of the amount allocated in this lettered paragraph, up to
13 \$1,556,287 shall be made available to provide school-based
14 supervision of children adjudicated under chapter 232, of which
15 not more than \$15,000 may be used for the purpose of training.
16 A portion of the cost of each school-based liaison officer
17 shall be paid by the school district or other funding source as
18 approved by the chief juvenile court officer.

19 b. Of the funds appropriated in this section, up to \$748,985
20 is allocated for the payment of the expenses of court-ordered
21 services provided to children who are under the supervision
22 of the department, which expenses are a charge upon the state
23 pursuant to section 232.141, subsection 4.

24 c. Notwithstanding section 232.141 or any other provision
25 of law to the contrary, the amounts allocated in this
26 subsection shall be distributed to the judicial districts
27 as determined by the state court administrator and to the
28 department's service areas as determined by the administrator
29 of the department's division of child and family services. The
30 state court administrator and the division administrator shall
31 make the determination of the distribution amounts on or before
32 June 15, 2011.

33 d. Notwithstanding chapter 232 or any other provision of
34 law to the contrary, a district or juvenile court shall not
35 order any service which is a charge upon the state pursuant

1 to section 232.141 if there are insufficient court-ordered
2 services funds available in the district court or departmental
3 service area distribution amounts to pay for the service. The
4 chief juvenile court officer and the departmental service area
5 manager shall encourage use of the funds allocated in this
6 subsection such that there are sufficient funds to pay for
7 all court-related services during the entire year. The chief
8 juvenile court officers and departmental service area managers
9 shall attempt to anticipate potential surpluses and shortfalls
10 in the distribution amounts and shall cooperatively request the
11 state court administrator or division administrator to transfer
12 funds between the judicial districts' or departmental service
13 areas' distribution amounts as prudent.

14 e. Notwithstanding any provision of law to the contrary,
15 a district or juvenile court shall not order a county to pay
16 for any service provided to a juvenile pursuant to an order
17 entered under chapter 232 which is a charge upon the state
18 under section 232.141, subsection 4.

19 f. Of the funds allocated in this subsection, not more than
20 \$83,000 may be used by the judicial branch for administration
21 of the requirements under this subsection.

22 g. Of the funds allocated in this subsection, \$17,000
23 shall be used by the department of human services to support
24 the interstate commission for juveniles in accordance with
25 the interstate compact for juveniles as provided in section
26 232.173.

27 11. Of the funds appropriated in this section, \$4,522,602 is
28 allocated for juvenile delinquent graduated sanctions services.
29 Any state funds saved as a result of efforts by juvenile court
30 services to earn federal Tit. IV-E match for juvenile court
31 services administration may be used for the juvenile delinquent
32 graduated sanctions services.

33 12. Of the funds appropriated in this section, \$988,285
34 shall be transferred to the department of public health to
35 be used for the child protection center grant program in

1 accordance with section 135.118.

2 13. If the department receives federal approval to
3 implement a waiver under Tit. IV-E of the federal Social
4 Security Act to enable providers to serve children who remain
5 in the children's families and communities, for purposes of
6 eligibility under the medical assistance program, children who
7 participate in the waiver shall be considered to be placed in
8 foster care.

9 14. Of the funds appropriated in this section, \$3,069,832 is
10 allocated for the preparation for adult living program pursuant
11 to section 234.46.

12 15. Of the funds appropriated in this section, \$520,150
13 shall be used for juvenile drug courts. The amount allocated
14 in this subsection shall be distributed as follows:

15 To the judicial branch for salaries to assist with the
16 operation of juvenile drug court programs operated in the
17 following jurisdictions:

- 18 a. Marshall county:
- 19 \$ 62,708
- 20 b. Woodbury county:
- 21 \$ 125,682
- 22 c. Polk county:
- 23 \$ 195,892
- 24 d. The third judicial district:
- 25 \$ 67,934
- 26 e. The eighth judicial district:
- 27 \$ 67,934

28 16. Of the funds appropriated in this section, \$227,337
29 shall be used for the public purpose of providing a grant to
30 a nonprofit human services organization providing services to
31 individuals and families in multiple locations in southwest
32 Iowa and Nebraska for support of a project providing immediate,
33 sensitive support and forensic interviews, medical exams, needs
34 assessments, and referrals for victims of child abuse and their
35 nonoffending family members.

1 17. Of the funds appropriated in this section, \$125,590
2 is allocated for the elevate approach of providing a support
3 network to children placed in foster care.

4 18. Of the funds appropriated in this section, \$202,000 is
5 allocated for use pursuant to section 235A.1 for continuation
6 of the initiative to address child sexual abuse implemented
7 pursuant to 2007 Iowa Acts, chapter 218, section 18, subsection
8 21.

9 19. Of the funds appropriated in this section, \$630,240 is
10 allocated for the community partnership for child protection
11 sites.

12 20. Of the funds appropriated in this section, \$371,250
13 is allocated for the department's minority youth and family
14 projects under the redesign of the child welfare system.

15 21. Of the funds appropriated in this section, \$1,200,495
16 is allocated for funding of the state match for the federal
17 substance abuse and mental health services administration
18 (SAMHSA) system of care grant.

19 22. Of the funds appropriated in this section, at least
20 \$147,158 shall be used for the child welfare training academy.

21 23. Of the funds appropriated in this section, \$25,000
22 shall be used for the public purpose of providing a grant to
23 a child welfare services provider headquartered in a county
24 with a population between 205,000 and 215,000 in the latest
25 certified federal census that provides multiple services
26 including but not limited to a psychiatric medical institution
27 for children, shelter, residential treatment, after school
28 programs, school-based programming, and an Asperger's syndrome
29 program, to be used for support services for children with
30 autism spectrum disorder and their families.

31 Sec. 17. ADOPTION SUBSIDY.

32 1. There is appropriated from the general fund of the
33 state to the department of human services for the fiscal year
34 beginning July 1, 2011, and ending June 30, 2012, the following
35 amount, or so much thereof as is necessary, to be used for the

1 purpose designated:

2 For adoption subsidy payments and services:

3 \$ 36,697,591

4 2. The department may transfer funds appropriated in this
5 section to the appropriation made in this Act for general
6 administration for costs paid from the appropriation relating
7 to adoption subsidy.

8 3. Federal funds received by the state during the
9 fiscal year beginning July 1, 2011, as the result of the
10 expenditure of state funds during a previous state fiscal
11 year for a service or activity funded under this section are
12 appropriated to the department to be used as additional funding
13 for the services and activities funded under this section.
14 Notwithstanding section 8.33, moneys received in accordance
15 with this subsection that remain unencumbered or unobligated
16 at the close of the fiscal year shall not revert to any fund
17 but shall remain available for expenditure for the purposes
18 designated until the close of the succeeding fiscal year.

19 Sec. 18. JUVENILE DETENTION HOME FUND. Moneys deposited
20 in the juvenile detention home fund created in section 232.142
21 during the fiscal year beginning July 1, 2011, and ending June
22 30, 2012, are appropriated to the department of human services
23 for the fiscal year beginning July 1, 2011, and ending June 30,
24 2012, for distribution of an amount equal to a percentage of
25 the costs of the establishment, improvement, operation, and
26 maintenance of county or multicounty juvenile detention homes
27 in the fiscal year beginning July 1, 2010. Moneys appropriated
28 for distribution in accordance with this section shall be
29 allocated among eligible detention homes, prorated on the basis
30 of an eligible detention home's proportion of the costs of all
31 eligible detention homes in the fiscal year beginning July
32 1, 2010. The percentage figure shall be determined by the
33 department based on the amount available for distribution for
34 the fund. Notwithstanding section 232.142, subsection 3, the
35 financial aid payable by the state under that provision for the

1 fiscal year beginning July 1, 2011, shall be limited to the
2 amount appropriated for the purposes of this section.

3 Sec. 19. FAMILY SUPPORT SUBSIDY PROGRAM.

4 1. There is appropriated from the general fund of the
5 state to the department of human services for the fiscal year
6 beginning July 1, 2011, and ending June 30, 2012, the following
7 amount, or so much thereof as is necessary, to be used for the
8 purpose designated:

9 For the family support subsidy program subject to the
10 enrollment restrictions in section 225C.37, subsection 3:
11 \$ 1,167,998

12 2. The department shall use at least \$385,500 of the moneys
13 appropriated in this section for the family support center
14 component of the comprehensive family support program under
15 section 225C.47. Not more than \$25,000 of the amount allocated
16 in this subsection shall be used for administrative costs.

17 3. If at any time during the fiscal year, the amount of
18 funding available for the family support subsidy program
19 is reduced from the amount initially used to establish the
20 figure for the number of family members for whom a subsidy
21 is to be provided at any one time during the fiscal year,
22 notwithstanding section 225C.38, subsection 2, the department
23 shall revise the figure as necessary to conform to the amount
24 of funding available.

25 Sec. 20. CONNER DECREE. There is appropriated from the
26 general fund of the state to the department of human services
27 for the fiscal year beginning July 1, 2011, and ending June 30,
28 2012, the following amount, or so much thereof as is necessary,
29 to be used for the purpose designated:

30 For building community capacity through the coordination
31 and provision of training opportunities in accordance with the
32 consent decree of Conner v. Branstad, No. 4-86-CV-30871(S.D.
33 Iowa, July 14, 1994):
34 \$ 33,622

35 Sec. 21. MENTAL HEALTH INSTITUTES.

1 1. There is appropriated from the general fund of the
2 state to the department of human services for the fiscal year
3 beginning July 1, 2011, and ending June 30, 2012, the following
4 amounts, or so much thereof as is necessary, to be used for the
5 purposes designated:

6 a. For the state mental health institute at Cherokee for
7 salaries, support, maintenance, and miscellaneous purposes, and
8 for not more than the following full-time equivalent positions:
9 \$ 5,877,308
10 FTEs 177.83

11 b. For the state mental health institute at Clarinda for
12 salaries, support, maintenance, and miscellaneous purposes, and
13 for not more than the following full-time equivalent positions:
14 \$ 6,411,734
15 FTEs 99.20

16 c. For the state mental health institute at Independence for
17 salaries, support, maintenance, and miscellaneous purposes, and
18 for not more than the following full-time equivalent positions:
19 \$ 10,275,685
20 FTEs 248.00

21 d. For the state mental health institute at Mount Pleasant
22 for salaries, support, maintenance, and miscellaneous purposes,
23 and for not more than the following full-time equivalent
24 positions:
25 \$ 944,323
26 FTEs 97.72

27 2. The department, as part of efforts to develop and
28 implement the comprehensive mental health and disability
29 services plan as provided in section 225C.6B, shall review
30 services provided by or offered at the state mental health
31 institutes and may modify such services to further the plan
32 and provide cost-effective and necessary services. As part
33 of the review, the department shall consult with stakeholders
34 concerning developing subacute mental health care options at
35 the institutes. In addition, the department shall consider the

1 feasibility of developing treatment facilities of sixteen beds
2 or fewer that would be eligible for federal Medicaid program
3 match; identify provisions to increase the participation of
4 students of medical, dental, psychiatry, psychology, social
5 work, and other health care and behavioral health professions
6 in clinical practice training at the institutions administered
7 by the department; and develop methods for the department
8 and the judicial branch to facilitate regular meetings and
9 other communication between representatives of the criminal
10 justice system, service providers, county central point of
11 coordination administrators, other pertinent state agencies,
12 and other stakeholders to improve the processes for involuntary
13 commitment for chronic substance abuse under chapter 125 and
14 serious mental illness under chapter 229.

15 Sec. 22. STATE RESOURCE CENTERS.

16 1. There is appropriated from the general fund of the
17 state to the department of human services for the fiscal year
18 beginning July 1, 2011, and ending June 30, 2012, the following
19 amounts, or so much thereof as is necessary, to be used for the
20 purposes designated:

- 21 a. For the state resource center at Glenwood for salaries,
22 support, maintenance, and miscellaneous purposes:
23 \$ 18,807,801
- 24 b. For the state resource center at Woodward for salaries,
25 support, maintenance, and miscellaneous purposes:
26 \$ 13,085,658

27 2. The department may continue to bill for state resource
28 center services utilizing a scope of services approach used for
29 private providers of ICFMR services, in a manner which does not
30 shift costs between the medical assistance program, counties,
31 or other sources of funding for the state resource centers.

32 3. The state resource centers may expand the time-limited
33 assessment and respite services during the fiscal year.

34 4. If the department's administration and the department
35 of management concur with a finding by a state resource

1 center's superintendent that projected revenues can reasonably
2 be expected to pay the salary and support costs for a new
3 employee position, or that such costs for adding a particular
4 number of new positions for the fiscal year would be less
5 than the overtime costs if new positions would not be added,
6 the superintendent may add the new position or positions. If
7 the vacant positions available to a resource center do not
8 include the position classification desired to be filled, the
9 state resource center's superintendent may reclassify any
10 vacant position as necessary to fill the desired position. The
11 superintendents of the state resource centers may, by mutual
12 agreement, pool vacant positions and position classifications
13 during the course of the fiscal year in order to assist one
14 another in filling necessary positions.

15 5. If existing capacity limitations are reached in
16 operating units, a waiting list is in effect for a service or
17 a special need for which a payment source or other funding
18 is available for the service or to address the special need,
19 and facilities for the service or to address the special need
20 can be provided within the available payment source or other
21 funding, the superintendent of a state resource center may
22 authorize opening not more than two units or other facilities
23 and begin implementing the service or addressing the special
24 need during fiscal year 2011-2012.

25 Sec. 23. MI/MR/DD STATE CASES.

26 1. There is appropriated from the general fund of the
27 state to the department of human services for the fiscal year
28 beginning July 1, 2011, and ending June 30, 2012, the following
29 amount, or so much thereof as is necessary, to be used for the
30 purpose designated:

31 For distribution to counties for state case services
32 for persons with mental illness, mental retardation, and
33 developmental disabilities in accordance with section 331.440:
34 \$ 12,169,482

35 2. For the fiscal year beginning July 1, 2011, and ending

1 June 30, 2012, \$200,000 is allocated for state case services
2 from the amounts appropriated from the fund created in section
3 8.41 to the department of human services from the funds
4 received from the federal government under 42 U.S.C. ch. 6A,
5 subch. XVII, relating to the community mental health center
6 block grant, for the federal fiscal years beginning October
7 1, 2009, and ending September 30, 2010, beginning October 1,
8 2010, and ending September 30, 2011, and beginning October 1,
9 2011, and ending September 30, 2012. The allocation made in
10 this subsection shall be made prior to any other distribution
11 allocation of the appropriated federal funds.

12 3. Notwithstanding section 8.33, moneys appropriated in
13 this section that remain unencumbered or unobligated at the
14 close of the fiscal year shall not revert but shall remain
15 available for expenditure for the purposes designated until the
16 close of the succeeding fiscal year.

17 Sec. 24. MENTAL HEALTH AND DEVELOPMENTAL DISABILITIES
18 — COMMUNITY SERVICES FUND. There is appropriated from
19 the general fund of the state to the mental health and
20 developmental disabilities community services fund created in
21 section 225C.7 for the fiscal year beginning July 1, 2011, and
22 ending June 30, 2012, the following amount, or so much thereof
23 as is necessary, to be used for the purpose designated:

24 For mental health and developmental disabilities community
25 services in accordance with this division of this Act:
26 \$ 14,211,100

27 1. Of the funds appropriated in this section, \$14,187,556
28 shall be allocated to counties for funding of community-based
29 mental health and developmental disabilities services. The
30 moneys shall be allocated to a county as follows:

31 a. Fifty percent based upon the county's proportion of the
32 state's population of persons with an annual income which is
33 equal to or less than the poverty guideline established by the
34 federal office of management and budget.

35 b. Fifty percent based upon the county's proportion of the

1 state's general population.

2 2. a. A county shall utilize the funding the county
3 receives pursuant to subsection 1 for services provided to
4 persons with a disability, as defined in section 225C.2.
5 However, no more than 50 percent of the funding shall be used
6 for services provided to any one of the service populations.

7 b. A county shall use at least 50 percent of the funding the
8 county receives under subsection 1 for contemporary services
9 provided to persons with a disability, as described in rules
10 adopted by the department.

11 3. Of the funds appropriated in this section, \$23,544
12 shall be used to support the Iowa compass program providing
13 computerized information and referral services for Iowans with
14 disabilities and their families.

15 4. a. Funding appropriated for purposes of the federal
16 social services block grant is allocated for distribution
17 to counties for local purchase of services for persons with
18 mental illness or mental retardation or other developmental
19 disability.

20 b. The funds allocated in this subsection shall be expended
21 by counties in accordance with the county's county management
22 plan approved by the board of supervisors. A county without
23 an approved county management plan shall not receive allocated
24 funds until the county's management plan is approved.

25 c. The funds provided by this subsection shall be allocated
26 to each county as follows:

27 (1) Fifty percent based upon the county's proportion of the
28 state's population of persons with an annual income which is
29 equal to or less than the poverty guideline established by the
30 federal office of management and budget.

31 (2) Fifty percent based upon the amount provided to the
32 county for local purchase of services in the preceding fiscal
33 year.

34 5. A county is eligible for funds under this section if the
35 county qualifies for a state payment as described in section

1 331.439.

2 6. The latest certified census issued by the United States
3 bureau of the census shall be applied for the population
4 factors utilized in this section.

5 Sec. 25. SEXUALLY VIOLENT PREDATORS.

6 1. There is appropriated from the general fund of the
7 state to the department of human services for the fiscal year
8 beginning July 1, 2011, and ending June 30, 2012, the following
9 amount, or so much thereof as is necessary, to be used for the
10 purpose designated:

11 For costs associated with the commitment and treatment of
12 sexually violent predators in the unit located at the state
13 mental health institute at Cherokee, including costs of legal
14 services and other associated costs, including salaries,
15 support, maintenance, and miscellaneous purposes, and for not
16 more than the following full-time equivalent positions:

17	\$	7,550,727
18	FTEs	89.00

19 2. Unless specifically prohibited by law, if the amount
20 charged provides for recoupment of at least the entire amount
21 of direct and indirect costs, the department of human services
22 may contract with other states to provide care and treatment
23 of persons placed by the other states at the unit for sexually
24 violent predators at Cherokee. The moneys received under
25 such a contract shall be considered to be repayment receipts
26 and used for the purposes of the appropriation made in this
27 section.

28 Sec. 26. FIELD OPERATIONS. There is appropriated from the
29 general fund of the state to the department of human services
30 for the fiscal year beginning July 1, 2011, and ending June 30,
31 2012, the following amount, or so much thereof as is necessary,
32 to be used for the purposes designated:

33 For field operations, including salaries, support,
34 maintenance, and miscellaneous purposes, and for not more than
35 the following full-time equivalent positions:

1 \$ 53,939,921
2 FTEs 1,702.00

3 Priority in filling full-time equivalent positions shall be
4 given to those positions related to child protection services
5 and eligibility determination for low-income families.

6 Sec. 27. GENERAL ADMINISTRATION. There is appropriated
7 from the general fund of the state to the department of human
8 services for the fiscal year beginning July 1, 2011, and ending
9 June 30, 2012, the following amount, or so much thereof as is
10 necessary, to be used for the purpose designated:

11 For general administration, including salaries, support,
12 maintenance, and miscellaneous purposes, and for not more than
13 the following full-time equivalent positions:

14 \$ 15,146,745
15 FTEs 282.00

16 1. Of the funds appropriated in this section, \$43,700
17 allocated for the prevention of disabilities policy council
18 established in section 225B.3.

19 2. The department shall report at least monthly to the
20 legislative services agency concerning the department's
21 operational and program expenditures.

22 3. Of the funds appropriated in this section, \$150,000 shall
23 be used to implement a program to provide technical assistance,
24 support, and consultation to providers of habilitation services
25 and home and community-based waiver services for adults with
26 disabilities under the medical assistance program.

27 4. Of the funds appropriated in this section, \$200,000 shall
28 be used to expand the provision of nationally accredited and
29 recognized internet-based training to include mental health and
30 disability services providers.

31 Sec. 28. VOLUNTEERS. There is appropriated from the general
32 fund of the state to the department of human services for the
33 fiscal year beginning July 1, 2011, and ending June 30, 2012,
34 the following amount, or so much thereof as is necessary, to be
35 used for the purpose designated:

1 For development and coordination of volunteer services:
2 \$ 84,660

3 Sec. 29. MEDICAL ASSISTANCE, STATE SUPPLEMENTARY
4 ASSISTANCE, AND SOCIAL SERVICE PROVIDERS REIMBURSED UNDER THE
5 DEPARTMENT OF HUMAN SERVICES.

6 1. a. (1) For the fiscal year beginning July 1, 2011,
7 the total state funding amount for the nursing facility budget
8 shall not exceed \$224,835,691.

9 (2) For the fiscal year beginning July 1, 2011, the
10 department shall rebase case-mix nursing facility rates
11 effective July 1, 2011. However, total nursing facility budget
12 expenditures, including both case-mix and noncase-mix shall
13 not exceed the amount specified in subparagraph (1). When
14 calculating case-mix per diem cost and the patient-day-weighted
15 medians used in rate-setting for nursing facilities effective
16 July 1, 2011, the inflation factor applied from the midpoint
17 of the cost report period to the first day of the state fiscal
18 year rate period shall be adjusted to maintain state funding
19 within the amount specified in subparagraph (1).

20 (3) The department, in cooperation with nursing facility
21 representatives, shall review projections for state funding
22 expenditures for reimbursement of nursing facilities on a
23 quarterly basis and the department shall determine if an
24 adjustment to the medical assistance reimbursement rate is
25 necessary in order to provide reimbursement within the state
26 funding amount for the fiscal year. Notwithstanding 2001
27 Iowa Acts, chapter 192, section 4, subsection 2, paragraph
28 "c", and subsection 3, paragraph "a", subparagraph (2),
29 if the state funding expenditures for the nursing facility
30 budget for the fiscal year is projected to exceed the amount
31 specified in subparagraph (1), the department shall adjust
32 the reimbursement for nursing facilities reimbursed under the
33 case-mix reimbursement system to maintain expenditures of the
34 nursing facility budget within the specified amount for the
35 fiscal year.

1 (4) For the fiscal year beginning July 1, 2011, special
2 population nursing facilities shall be reimbursed in accordance
3 with the methodology in effect on June 30, 2011.

4 b. For the fiscal year beginning July 1, 2011, the
5 department shall reimburse pharmacy dispensing fees using a
6 single rate of \$4.34 per prescription or the pharmacy's usual
7 and customary fee, whichever is lower.

8 c. (1) For the fiscal year beginning July 1, 2011,
9 reimbursement rates for outpatient hospital services shall be
10 rebased effective January 1, 2012.

11 (2) For the fiscal year beginning July 1, 2011,
12 reimbursement rates for inpatient hospital services shall be
13 rebased effective October 1, 2011.

14 (3) The total amount of increased funding available for
15 reimbursement attributable to rebasing under this paragraph
16 for the fiscal year beginning July 1, 2011, shall not exceed
17 \$4,500,000.

18 (4) For the fiscal year beginning July 1, 2011, the graduate
19 medical education and disproportionate share hospital fund
20 shall remain at the amount in effect on June 30, 2011.

21 (5) In order to ensure the efficient use of limited state
22 funds in procuring health care services for low-income Iowans,
23 funds appropriated in this Act for hospital services shall
24 not be used for activities which would be excluded from a
25 determination of reasonable costs under the federal Medicare
26 program pursuant to 42 U.S.C. § 1395X(v)(1)(N).

27 d. For the fiscal year beginning July 1, 2011, reimbursement
28 rates for rural health clinics, hospices, and acute mental
29 hospitals shall be increased in accordance with increases under
30 the federal Medicare program or as supported by their Medicare
31 audited costs.

32 e. For the fiscal year beginning July 1, 2011, independent
33 laboratories and rehabilitation agencies shall be reimbursed
34 using the same methodology in effect on June 30, 2011.

35 f. For the fiscal year beginning July 1, 2011, reimbursement

1 rates for home health agencies shall remain at the rates in
2 effect on June 30, 2011, not to exceed a home health agency's
3 actual allowable cost.

4 g. For the fiscal year beginning July 1, 2011, federally
5 qualified health centers shall receive cost-based reimbursement
6 for 100 percent of the reasonable costs for the provision of
7 services to recipients of medical assistance.

8 h. For the fiscal year beginning July 1, 2011, the
9 reimbursement rates for dental services shall remain at the
10 rates in effect on June 30, 2011.

11 i. For the fiscal year beginning July 1, 2011, state-owned
12 psychiatric medical institutions for children shall receive
13 cost-based reimbursement for 100 percent of the actual and
14 allowable costs for the provision of services to recipients of
15 medical assistance. For nonstate-owned psychiatric medical
16 institutions for children, reimbursement rates shall remain at
17 the rates in effect on June 30, 2011.

18 j. For the fiscal year beginning July 1, 2011, unless
19 otherwise specified in this Act, all noninstitutional medical
20 assistance provider reimbursement rates shall remain at the
21 rates in effect on June 30, 2011, except for area education
22 agencies, local education agencies, infant and toddler services
23 providers, and those providers whose rates are required to be
24 determined pursuant to section 249A.20.

25 k. Notwithstanding any provision to the contrary, for the
26 fiscal year beginning July 1, 2011, the reimbursement rate for
27 anesthesiologists shall remain at the rate in effect on June
28 30, 2011.

29 l. Notwithstanding section 249A.20, for the fiscal year
30 beginning July 1, 2011, the average reimbursement rate for
31 health care providers eligible for use of the federal Medicare
32 resource-based relative value scale reimbursement methodology
33 under that section shall remain at the rate in effect on June
34 30, 2011; however, this rate shall not exceed the maximum level
35 authorized by the federal government.

1 m. For the fiscal year beginning July 1, 2011, the
2 reimbursement rate for residential care facilities shall not
3 be less than the minimum payment level as established by the
4 federal government to meet the federally mandated maintenance
5 of effort requirement. The flat reimbursement rate for
6 facilities electing not to file annual cost reports shall not
7 be less than the minimum payment level as established by the
8 federal government to meet the federally mandated maintenance
9 of effort requirement.

10 n. For the fiscal year beginning July 1, 2011, inpatient
11 mental health services provided at hospitals shall remain at
12 the rates in effect on June 30, 2011, subject to Medicaid
13 program upper payment limit rules; community mental health
14 centers and providers of mental health services to county
15 residents pursuant to a waiver approved under section 225C.7,
16 subsection 3, shall be reimbursed at 100 percent of the
17 reasonable costs for the provision of services to recipients of
18 medical assistance; and psychiatrists shall be reimbursed at
19 the medical assistance program fee for service rate.

20 o. For the fiscal year beginning July 1, 2011, the
21 reimbursement rate for consumer-directed attendant care shall
22 remain at the rates in effect on June 30, 2011.

23 p. For the fiscal year beginning July 1, 2011, the
24 reimbursement rate for providers of family planning services
25 that are eligible to receive a 90 percent federal match shall
26 remain at the rates in effect on June 30, 2011.

27 2. For the fiscal year beginning July 1, 2011, the
28 reimbursement rate for providers reimbursed under the
29 in-home-related care program shall not be less than the minimum
30 payment level as established by the federal government to meet
31 the federally mandated maintenance of effort requirement.

32 3. Unless otherwise directed in this section, when the
33 department's reimbursement methodology for any provider
34 reimbursed in accordance with this section includes an
35 inflation factor, this factor shall not exceed the amount

1 by which the consumer price index for all urban consumers
2 increased during the calendar year ending December 31, 2002.

3 4. For the fiscal year beginning July 1, 2011,
4 notwithstanding section 234.38, the foster family basic daily
5 maintenance rate and the maximum adoption subsidy rate for
6 children ages 0 through 5 years shall be \$15.74, the rate for
7 children ages 6 through 11 years shall be \$16.37, the rate for
8 children ages 12 through 15 years shall be \$17.92, and the
9 rate for children and young adults ages 16 and older shall be
10 \$18.16. The maximum supervised apartment living foster care
11 reimbursement rate shall be \$25.00 per day. For youth ages
12 18 to 21 who have exited foster care, the maximum preparation
13 for adult living program maintenance rate shall be \$574.00 per
14 month.

15 5. For the fiscal year beginning July 1, 2011, the maximum
16 reimbursement rates under the supervised apartment living
17 program and for social services providers under contract
18 shall remain at the rates in effect on June 30, 2011, or the
19 provider's actual and allowable cost plus inflation for each
20 service, whichever is less. However, if a new service or
21 service provider is added after June 30, 2011, the initial
22 reimbursement rate for the service or provider shall be
23 based upon actual and allowable costs. Providers may also
24 be eligible for an additional amount as specified under the
25 department's request for proposal, bid number ACFS-11-115.

26 6. For the fiscal year beginning July 1, 2011, the
27 reimbursement rates for family-centered service providers,
28 family foster care service providers, group foster care service
29 providers, and the resource family recruitment and retention
30 contractor shall remain at the rates in effect on June 30,
31 2011.

32 7. The group foster care reimbursement rates paid for
33 placement of children out of state shall be calculated
34 according to the same rate-setting principles as those used for
35 in-state providers, unless the director of human services or

1 the director's designee determines that appropriate care cannot
2 be provided within the state. The payment of the daily rate
3 shall be based on the number of days in the calendar month in
4 which service is provided.

5 8. For the fiscal year beginning July 1, 2011, remedial
6 service providers shall receive the same level of reimbursement
7 under the same methodology in effect on June 30, 2011.

8 9. a. For the fiscal year beginning July 1, 2011, the
9 reimbursement rate paid for shelter care and the child welfare
10 emergency services implemented to provide or prevent the need
11 for shelter care shall be established in a contract based on
12 the requirements of the department's request for proposal, bid
13 number ACFS-11-114.

14 b. For the fiscal year beginning July 1, 2011, the combined
15 service and maintenance components of the reimbursement rate
16 paid for shelter care services shall be based on the financial
17 and statistical report submitted to the department. The
18 maximum reimbursement rate shall be \$92.36 per day. The
19 department shall reimburse a shelter care provider at the
20 provider's actual and allowable unit cost, plus inflation, not
21 to exceed the maximum reimbursement rate.

22 c. Notwithstanding section 232.141, subsection 8, for the
23 fiscal year beginning July 1, 2011, the amount of the statewide
24 average of the actual and allowable rates for reimbursement of
25 juvenile shelter care homes that is utilized for the limitation
26 on recovery of unpaid costs shall remain at the amount in
27 effect for this purpose in the fiscal year beginning July 1,
28 2010.

29 10. For the fiscal year beginning July 1, 2011, the
30 department shall calculate reimbursement rates for intermediate
31 care facilities for persons with mental retardation at the
32 80th percentile. Beginning July 1, 2011, the rate calculation
33 methodology shall utilize the consumer price index inflation
34 factor applicable to the fiscal year beginning July 1, 2011.

35 11. For the fiscal year beginning July 1, 2011, for child

1 care providers reimbursed under the state child care assistance
2 program, the department shall set provider reimbursement
3 rates based on the rate reimbursement survey completed in
4 December 2004. Effective July 1, 2011, the child care provider
5 reimbursement rates shall remain at the rates in effect on June
6 30, 2011. The department shall set rates in a manner so as
7 to provide incentives for a nonregistered provider to become
8 registered by applying the increase only to registered and
9 licensed providers.

10 12. The department shall adopt rules to replace the medical
11 assistance drug reimbursement methodology of average wholesale
12 price minus 12 percent with a reimbursement methodology based
13 on average acquisition cost for covered brand-name prescription
14 drugs, generic drugs, and over-the-counter drugs. For the
15 purposes of this subsection, "average acquisition cost" means
16 the average amount paid by pharmacies to suppliers including
17 wholesalers and manufacturers for the drugs. Payment under the
18 average acquisition cost methodology shall be subject to the
19 upper limits specified in 42 C.F.R. §§ 447.500 through 447.520.

20 13. The department may adopt emergency rules to implement
21 this section.

22 Sec. 30. EMERGENCY RULES.

23 1. If specifically authorized by a provision of this
24 division of this Act, the department of human services or
25 the mental health, and disability services commission may
26 adopt administrative rules under section 17A.4, subsection
27 3, and section 17A.5, subsection 2, paragraph "b", to
28 implement the provisions and the rules shall become effective
29 immediately upon filing or on a later effective date specified
30 in the rules, unless the effective date is delayed by the
31 administrative rules review committee. Any rules adopted in
32 accordance with this section shall not take effect before
33 the rules are reviewed by the administrative rules review
34 committee. The delay authority provided to the administrative
35 rules review committee under section 17A.4, subsection 7, and

1 section 17A.8, subsection 9, shall be applicable to a delay
2 imposed under this section, notwithstanding a provision in
3 those sections making them inapplicable to section 17A.5,
4 subsection 2, paragraph "b". Any rules adopted in accordance
5 with the provisions of this section shall also be published as
6 notice of intended action as provided in section 17A.4.

7 2. If during the fiscal year beginning July 1, 2011, the
8 department of human services is adopting rules in accordance
9 with this section or as otherwise directed or authorized by
10 state law, and the rules will result in an expenditure increase
11 beyond the amount anticipated in the budget process or if the
12 expenditure was not addressed in the budget process for the
13 fiscal year, the department shall notify the persons designated
14 by this division of this Act for submission of reports,
15 the chairpersons and ranking members of the committees on
16 appropriations, and the department of management concerning the
17 rules and the expenditure increase. The notification shall be
18 provided at least 30 calendar days prior to the date notice of
19 the rules is submitted to the administrative rules coordinator
20 and the administrative code editor.

21 Sec. 31. REPORTS. Any reports or information required to be
22 compiled and submitted under this Act shall be submitted to the
23 chairpersons and ranking members of the joint appropriations
24 subcommittee on health and human services, the legislative
25 services agency, and the legislative caucus staffs on or
26 before the dates specified for submission of the reports or
27 information.

28 Sec. 32. EFFECTIVE DATE. The following provision of this
29 division of this Act, being deemed of immediate importance,
30 take effect upon enactment:

31 The provision under the appropriation for child and family
32 services, relating to requirements of section 232.143 for
33 representatives of the department of human services and
34 juvenile court services to establish a plan for continuing
35 group foster care expenditures for fiscal year 2011-2012.

1 DIVISION V
 2 PHARMACEUTICAL SETTLEMENT ACCOUNT,
 3 IOWACARE ACCOUNT, HEALTH CARE
 4 TRANSFORMATION ACCOUNT, MEDICAID FRAUD ACCOUNT,
 5 QUALITY ASSURANCE TRUST FUND,
 6 AND HOSPITAL HEALTH CARE ACCESS TRUST FUND

7 Sec. 33. PHARMACEUTICAL SETTLEMENT ACCOUNT. There is
 8 appropriated from the pharmaceutical settlement account created
 9 in section 249A.33 to the department of human services for the
 10 fiscal year beginning July 1, 2011, and ending June 30, 2012,
 11 the following amount, or so much thereof as is necessary, to be
 12 used for the purpose designated:

13 Notwithstanding any provision of law to the contrary, to
 14 supplement the appropriations made in this Act for medical
 15 contracts under the medical assistance program:
 16 \$ 5,027,613

17 Sec. 34. APPROPRIATIONS FROM IOWACARE ACCOUNT.

18 1. There is appropriated from the IowaCare account
 19 created in section 249J.24 to the state board of regents for
 20 distribution to the university of Iowa hospitals and clinics
 21 for the fiscal year beginning July 1, 2011, and ending June 30,
 22 2012, the following amount, or so much thereof as is necessary,
 23 to be used for the purposes designated:

24 For salaries, support, maintenance, equipment, and
 25 miscellaneous purposes, for the provision of medical and
 26 surgical treatment of indigent patients, for provision of
 27 services to members of the expansion population pursuant to
 28 chapter 249J, and for medical education:
 29 \$ 27,284,584

30 a. Funds appropriated in this subsection shall not be used
 31 to perform abortions except medically necessary abortions,
 32 and shall not be used to operate the early termination of
 33 pregnancy clinic except for the performance of medically
 34 necessary abortions. For the purpose of this subsection,
 35 medically necessary abortions are those performed under any of

1 the following conditions:

2 (1) The attending physician certifies that continuing the
3 pregnancy would endanger the life of the pregnant woman.

4 (2) Any spontaneous abortion, commonly known as a
5 miscarriage, if not all of the products of conception are
6 expelled.

7 b. Notwithstanding any provision of law to the contrary,
8 the amount appropriated in this subsection shall be distributed
9 based on claims submitted, adjudicated, and paid by the Iowa
10 Medicaid enterprise.

11 c. The university of Iowa hospitals and clinics shall
12 certify public expenditures in an amount equal to provide
13 the nonfederal share on total expenditures not to exceed
14 \$46,000,000.

15 2. There is appropriated from the IowaCare account
16 created in section 249J.24 to the state board of regents for
17 distribution to the university of Iowa hospitals and clinics
18 for the fiscal year beginning July 1, 2011, and ending June 30,
19 2012, the following amount, or so much thereof as is necessary,
20 to be used for the purposes designated:

21 For salaries, support, maintenance, equipment, and
22 miscellaneous purposes, for the provision of medical and
23 surgical treatment of indigent patients, for provision of
24 services to members of the expansion population pursuant to
25 chapter 249J, and for medical education:
26 \$ 49,020,131

27 Notwithstanding any provision of law to the contrary, the
28 amount appropriated in this subsection shall be distributed
29 based on claims submitted, adjudicated, and paid by the Iowa
30 Medicaid enterprise.

31 3. There is appropriated from the IowaCare account
32 created in section 249J.24, to the state board of regents for
33 distribution to university of Iowa physicians for the fiscal
34 year beginning July 1, 2011, and ending June 30, 2012, the
35 following amount, or so much thereof as is necessary to be used

1 for the purposes designated:

2 For salaries, support, maintenance, equipment, and
3 miscellaneous purposes for the provision of medical and
4 surgical treatment of indigent patients, for provision of
5 services to members of the expansion population pursuant to
6 chapter 249J, and for medical education:

7 \$ 24,000,000

8 Notwithstanding any provision of law to the contrary, the
9 amount appropriated in this subsection shall be distributed
10 based on claims submitted, adjudicated, and paid by the Iowa
11 Medicaid enterprise. Once the entire amount appropriated in
12 this subsection has been distributed, claims shall continue to
13 be submitted and adjudicated by the Iowa Medicaid enterprise;
14 however, no payment shall be made based upon such claims.

15 4. There is appropriated from the IowaCare account created
16 in section 249J.24 to the department of human services for the
17 fiscal year beginning July 1, 2011, and ending June 30, 2012,
18 the following amount, or so much thereof as is necessary, to be
19 used for the purposes designated:

20 For distribution to a publicly owned acute care teaching
21 hospital located in a county with a population over 350,000 for
22 the provision of medical and surgical treatment of indigent
23 patients, for provision of services to members of the expansion
24 population pursuant to chapter 249J, and for medical education:
25 \$ 51,000,000

26 a. Notwithstanding any provision of law to the contrary,
27 the amount appropriated in this subsection shall be distributed
28 based on claims submitted, adjudicated, and paid by the Iowa
29 Medicaid enterprise plus a monthly disproportionate share
30 hospital payment. Any amount appropriated in this subsection
31 in excess of \$48,000,000 shall be distributed only if the sum
32 of the expansion population claims adjudicated and paid by the
33 Iowa Medicaid enterprise plus the estimated disproportionate
34 share hospital payments exceeds \$48,000,000. The amount paid
35 in excess of \$48,000,000 shall not adjust the original monthly

1 payment amount but shall be distributed monthly based on actual
2 claims adjudicated and paid by the Iowa Medicaid enterprise
3 plus the estimated disproportionate share hospital amount. Any
4 amount appropriated in this subsection in excess of \$48,000,000
5 shall be allocated only if federal funds are available to match
6 the amount allocated.

7 b. Notwithstanding the total amount of proceeds distributed
8 pursuant to section 249J.24, subsection 6, paragraph "a",
9 unnumbered paragraph 1, for the fiscal year beginning July
10 1, 2011, and ending June 30, 2012, the county treasurer of a
11 county with a population of over 350,000 in which a publicly
12 owned acute care teaching hospital is located shall distribute
13 the proceeds collected pursuant to section 347.7 in a total
14 amount of \$38,000,000, which would otherwise be distributed to
15 the county hospital, to the treasurer of state for deposit in
16 the IowaCare account.

17 c. (1) Notwithstanding the amount collected and
18 distributed for deposit in the IowaCare account pursuant to
19 section 249J.24, subsection 6, paragraph "a", subparagraph
20 (1), the first \$19,000,000 in proceeds collected pursuant to
21 section 347.7 between July 1, 2011, and December 31, 2011,
22 shall be distributed to the treasurer of state for deposit in
23 the IowaCare account and collections during this time period in
24 excess of \$19,000,000 shall be distributed to the acute care
25 teaching hospital identified in this subsection.

26 (2) Notwithstanding the amount collected and distributed
27 for deposit in the IowaCare account pursuant to section
28 249J.24, subsection 6, paragraph "a", subparagraph (2),
29 the first \$19,000,000 in collections pursuant to section
30 347.7 between January 1, 2012, and June 30, 2012, shall be
31 distributed to the treasurer of state for deposit in the
32 IowaCare account and collections during this time period in
33 excess of \$19,000,000 shall be distributed to the acute care
34 teaching hospital identified in this subsection.

35 5. There is appropriated from the IowaCare account created

1 in section 249J.24 to the department of human services for the
2 fiscal year beginning July 1, 2011, and ending June 30, 2012,
3 the following amount, or so much thereof as is necessary to be
4 used for the purpose designated:

5 For payment to the regional provider network specified
6 by the department pursuant to section 249J.7 for provision
7 of covered services to members of the expansion population
8 pursuant to chapter 249J:

9 \$ 6,000,000

10 Notwithstanding any provision of law to the contrary, the
11 amount appropriated in this subsection shall be distributed
12 based on claims submitted, adjudicated, and paid by the Iowa
13 Medicaid enterprise. Once the entire amount appropriated in
14 this subsection has been distributed, claims shall continue to
15 be submitted and adjudicated by the Iowa Medicaid enterprise;
16 however, no payment shall be made based upon such claims.

17 6. There is appropriated from the IowaCare account created
18 in section 249J.24 to the department of human services for the
19 fiscal year beginning July 1, 2011, and ending June 30, 2012,
20 the following amount, or so much thereof as is necessary to be
21 used for the purposes designated:

22 For payment to nonparticipating providers for covered
23 services provided in accordance with section 249J.24A:

24 \$ 2,000,000

25 Sec. 35. APPROPRIATIONS FROM ACCOUNT FOR HEALTH CARE
26 TRANSFORMATION — DEPARTMENT OF HUMAN SERVICES.

27 Notwithstanding any provision to the contrary, there is
28 appropriated from the account for health care transformation
29 created in section 249J.23 to the department of human services
30 for the fiscal year beginning July 1, 2011, and ending June
31 30, 2012, the following amounts, or so much thereof as is
32 necessary, to be used for the purposes designated:

33 1. For the costs of medical examinations for the expansion
34 population pursuant to section 249J.6:

35 \$ 556,800

- 1 2. For the provision of an IowaCare nurse helpline for the
- 2 expansion population as provided in section 249J.6:
- 3 \$ 100,000
- 4 3. For other health promotion partnership activities
- 5 pursuant to section 249J.14:
- 6 \$ 600,000
- 7 4. For the costs related to audits, performance
- 8 evaluations, and studies required pursuant to chapter 249J:
- 9 \$ 125,000
- 10 5. For administrative costs associated with chapter 249J:
- 11 \$ 1,132,412
- 12 6. For planning and development, in cooperation with the
- 13 department of public health, of a phased-in program to provide
- 14 a dental home for children in accordance with section 249J.14:
- 15 \$ 1,000,000
- 16 7. For continuation of the establishment of the tuition
- 17 assistance for individuals serving individuals with
- 18 disabilities pilot program, as enacted in 2008 Iowa Acts,
- 19 chapter 1187, section 130:
- 20 \$ 50,000
- 21 8. For medical contracts:
- 22 \$ 2,000,000
- 23 9. For payment to the publicly owned acute care teaching
- 24 hospital located in a county with a population of over 350,000
- 25 that is a participating provider pursuant to chapter 249J:
- 26 \$ 290,000

27 Disbursements under this subsection shall be made monthly.

28 The hospital shall submit a report following the close of the

29 fiscal year regarding use of the funds appropriated in this

30 subsection to the persons specified in this Act to receive

31 reports.

32 Notwithstanding section 8.39, subsection 1, without the

33 prior written consent and approval of the governor and the

34 director of the department of management, the director of human

35 services may transfer funds among the appropriations made in

1 for medical assistance:

2 \$ 29,000,000

3 Sec. 39. HOSPITAL HEALTH CARE ACCESS TRUST FUND —

4 DEPARTMENT OF HUMAN SERVICES. Notwithstanding any provision to
5 the contrary and subject to the availability of funds, there is
6 appropriated from the hospital health care access trust fund
7 created in section 249M.4 to the department of human services
8 for the fiscal year beginning July 1, 2011, and ending June
9 30, 2012, the following amounts, or so much thereof as is
10 necessary, for the purposes designated:

11 1. To supplement the appropriation made in this Act from the
12 general fund of the state to the department of human services
13 for medical assistance:

14 \$ 39,231,000

15 2. For deposit in the nonparticipating provider
16 reimbursement fund created in section 249J.24A to be used for
17 the purposes of the fund:

18 \$ 769,000

19 Sec. 40. MEDICAL ASSISTANCE PROGRAM — NONREVERSION

20 FOR FY 2011-2012. Notwithstanding section 8.33, if moneys
21 appropriated for purposes of the medical assistance program
22 for the fiscal year beginning July 1, 2011, and ending June
23 30, 2012, from the general fund of the state, the Medicaid
24 fraud account, the quality assurance trust fund, and the
25 hospital health care access trust fund, are in excess of actual
26 expenditures for the medical assistance program and remain
27 unencumbered or unobligated at the close of the fiscal year,
28 the excess moneys shall not revert but shall remain available
29 for expenditure for the purposes of the medical assistance
30 program until the close of the succeeding fiscal year.

31 DIVISION VI

32 MH/MR/DD SERVICES ALLOWED GROWTH FUNDING FOR FISCAL YEAR
33 2011-2012

34 Sec. 41. MENTAL HEALTH, MENTAL RETARDATION, AND
35 DEVELOPMENTAL DISABILITIES SERVICES PROPERTY TAX

1 RELIEF. Notwithstanding the standing appropriation in section
2 426B.1, subsection 2, for the fiscal year beginning July 1,
3 2011, and ending June 30, 2012, the amount appropriated from
4 the general fund of the state pursuant to that provision shall
5 not exceed the following amount:

6 \$ 81,199,911

7 Sec. 42. 2010 Iowa Acts, chapter 1193, section 1, is amended
8 to read as follows:

9 SECTION 1. ADULT MH/MR/DD SERVICES ALLOWED GROWTH FUNDING
10 — FY 2011-2012.

11 1. Notwithstanding section 331.439, subsection 3, the
12 allowed growth factor adjustment for county mental health,
13 mental retardation, and developmental disabilities service
14 expenditures for the fiscal year beginning July 1, 2011, shall
15 be established by statute which shall be enacted within thirty
16 calendar days of the convening of the Eighty-fourth General
17 Assembly, 2011 Session, on January 10, 2011. The governor
18 shall submit to the general assembly a recommendation for such
19 allowed growth factor adjustment and the amounts of related
20 appropriations to the general assembly on or before January 11,
21 2011.

22 2. The appropriation and allocations made in this section
23 fulfill the requirements of the governor and general assembly
24 under subsection 1.

25 3. There is appropriated from the general fund of the
26 state to the department of human services for the fiscal year
27 beginning July 1, 2011, and ending June 30, 2012, the following
28 amount, or so much thereof as is necessary, to be used for the
29 purpose designated:

30 For distribution to counties of the county mental health,
31 mental retardation, and developmental disabilities allowed
32 growth factor adjustment for fiscal year 2011-2012 as provided
33 in this section in lieu of the allowed growth factor provisions
34 of section 331.438, subsection 2, and section 331.439,
35 subsection 3, and chapter 426B:

1 \$ 48,697,893

2 Sec. 43. 2010 Iowa Acts, chapter 1193, section 1, as
3 amended by this division of this Act, is amended by adding the
4 following new subsections:

5 NEW SUBSECTION. 4. Of the amount appropriated in this
6 section, \$12,000,000 shall be distributed as provided in this
7 subsection.

8 a. To be eligible to receive a distribution under this
9 subsection, a county must meet the following requirements:

10 (1) The county is levying for the maximum amount allowed
11 for the county's mental health, mental retardation, and
12 developmental disabilities services fund under section 331.424A
13 for taxes due and payable in the fiscal year beginning July 1,
14 2011, or the county is levying for at least 90 percent of the
15 maximum amount allowed for the county's services fund and that
16 levy rate is more than \$2 per \$1,000 of the assessed value of
17 all taxable property in the county.

18 (2) In the fiscal year beginning July 1, 2009, the
19 county's mental health, mental retardation, and developmental
20 disabilities services fund ending balance under generally
21 accepted accounting principles was equal to or less than 15
22 percent of the county's actual gross expenditures for that
23 fiscal year.

24 b. The amount of a county's distribution from the allocation
25 made in this subsection shall be determined based upon the
26 county's proportion of the general population of the counties
27 eligible to receive a distribution under this subsection. The
28 latest certified federal census issued by the United States
29 bureau of the census shall be applied in determining population
30 for the purposes of this paragraph.

31 c. The distributions made pursuant to this subsection
32 are subject to the distribution provisions and withholding
33 requirements established in this section for the county mental
34 health, mental retardation, and developmental disabilities
35 allowed growth factor adjustment for the fiscal year beginning

1 July 1, 2011.

2 NEW SUBSECTION. 5. The following amount of the funding
3 appropriated in this section is the allowed growth factor
4 adjustment for fiscal year 2011-2012, and shall be credited to
5 the allowed growth funding pool created in the property tax
6 relief fund and for distribution in accordance with section
7 426B.5, subsection 1:

8 \$ 36,697,893

9 NEW SUBSECTION. 6. The following formula amounts shall be
10 utilized only to calculate preliminary distribution amounts for
11 the allowed growth factor adjustment for fiscal year 2011-2012
12 under this section by applying the indicated formula provisions
13 to the formula amounts and producing a preliminary distribution
14 total for each county:

15 a. For calculation of a distribution amount for eligible
16 counties from the allowed growth funding pool created in the
17 property tax relief fund in accordance with the requirements in
18 section 426B.5, subsection 1:

19 \$ 49,772,936

20 b. For calculation of a distribution amount for counties
21 from the mental health and developmental disabilities (MH/DD)
22 community services fund in accordance with the formula provided
23 in the appropriation made for the MH/DD community services fund
24 for the fiscal year beginning July 1, 2011:

25 \$ 14,187,556

26 NEW SUBSECTION. 7. a. After applying the applicable
27 statutory distribution formulas to the amounts indicated in
28 subsection 6 for purposes of producing preliminary distribution
29 totals, the department of human services shall apply a
30 withholding factor to adjust an eligible individual county's
31 preliminary distribution total. In order to be eligible for
32 a distribution under this section, a county must be levying
33 90 percent or more of the maximum amount allowed for the
34 county's mental health, mental retardation, and developmental
35 disabilities services fund under section 331.424A for taxes due

1 and payable in the fiscal year for which the distribution is
2 payable.

3 b. An ending balance percentage for each county shall
4 be determined by expressing the county's ending balance on a
5 modified accrual basis under generally accepted accounting
6 principles for the fiscal year beginning July 1, 2009, in the
7 county's mental health, mental retardation, and developmental
8 disabilities services fund created under section 331.424A, as a
9 percentage of the county's gross expenditures from that fund
10 for that fiscal year. If a county borrowed moneys for purposes
11 of providing services from the county's services fund on or
12 before July 1, 2009, and the county's services fund ending
13 balance for that fiscal year includes the loan proceeds or an
14 amount designated in the county budget to service the loan for
15 the borrowed moneys, those amounts shall not be considered
16 to be part of the county's ending balance for purposes of
17 calculating an ending balance percentage under this subsection.

18 c. For purposes of calculating withholding factors and for
19 ending balance amounts used for other purposes under law, the
20 county ending balances shall be adjusted, using forms developed
21 for this purpose by the county finance committee, to disregard
22 the temporary funding increase provided to the counties for
23 the fiscal year through the federal American Recovery and
24 Reinvestment Act of 2009, Pub. L. No. 111-5. In addition, a
25 county may adjust the ending balance amount by rebating to the
26 department all or a portion of the allowed growth and MH/DD
27 services fund moneys the county received for the fiscal year
28 beginning July 1, 2010, in accordance with 2009 Iowa Acts,
29 chapter 179, section 1, as amended by 2009 Iowa Acts, chapter
30 1192, sections 47 and 48, or from any other services fund
31 moneys available to the county. The rebate must be remitted
32 to the department on or before June 1, 2011, in order to be
33 counted. The amount rebated by a county shall be subtracted
34 dollar-for-dollar from the county's ending balance amount
35 for the fiscal year beginning July 1, 2009, for purposes of

1 calculating the withholding factor and for other ending balance
2 purposes for the fiscal year beginning July 1, 2011. The
3 rebates received by the department shall be credited to the
4 property tax relief fund and distributed as additional funding
5 for the fiscal year beginning July 1, 2011, in accordance with
6 the formula provisions in this section.

7 d. The withholding factor for a county shall be the
8 following applicable percent:

9 (1) For an ending balance percentage of less than 5
10 percent, a withholding factor of 0 percent. In addition,
11 a county that is subject to this lettered paragraph shall
12 receive an inflation adjustment equal to 3 percent of the gross
13 expenditures reported for the county's services fund for the
14 fiscal year.

15 (2) For an ending balance percentage of 5 percent or more
16 but less than 10 percent, a withholding factor of 0 percent.
17 In addition, a county that is subject to this lettered
18 paragraph shall receive an inflation adjustment equal to 2
19 percent of the gross expenditures reported for the county's
20 services fund for the fiscal year.

21 (3) For an ending balance percentage of 10 percent or more
22 but less than 25 percent, a withholding factor of 25 percent.
23 However, for a county that is subject to this subparagraph, the
24 amount withheld shall be limited to the amount by which the
25 county's ending balance was in excess of the ending balance
26 percentage of 10 percent.

27 (4) For an ending balance percentage of 25 percent or more,
28 a withholding percentage of 100 percent.

29 NEW SUBSECTION. 8. The total withholding amounts applied
30 pursuant to subsection 7 shall be equal to a withholding target
31 amount of \$13,075,453. If the department of human services
32 determines that the amount appropriated is insufficient or
33 the amount to be withheld in accordance with subsection 7 is
34 not equal to the target withholding amount, the department
35 shall adjust the withholding factors listed in subsection 7 as

1 necessary to achieve the target withholding amount. However,
2 in making such adjustments to the withholding factors, the
3 department shall strive to minimize changes to the withholding
4 factors for those ending balance percentage ranges that are
5 lower than others and shall only adjust the zero withholding
6 factor or the inflation adjustment percentages specified in
7 subsection 7, paragraph "d", when the amount appropriated is
8 insufficient.

9

DIVISION VII

10

PRIOR APPROPRIATIONS AND RELATED CHANGES

11

VIETNAM CONFLICT VETERANS BONUS

12

Sec. 44. Section 35A.8A, subsection 2, paragraph d, Code
13 2011, is amended to read as follows:

14

d. The person files an application for compensation under
15 this section, in a manner determined by the department of
16 veterans affairs, by ~~July 1, 2010~~ May 1, 2011.

17

INJURED VETERANS GRANT PROGRAM

18

Sec. 45. 2008 Iowa Acts, chapter 1187, section 69,
19 unnumbered paragraph 1, as amended by 2009 Iowa Acts, chapter
20 182, section 83, and 2010 Iowa Acts, chapter 1192, section 56,
21 is amended to read as follows:

22

Notwithstanding section 8.33, moneys appropriated in this
23 subsection that remain unencumbered or unobligated at the close
24 of the fiscal year shall not revert but shall remain available
25 for expenditure for the purposes designated until the close of
26 the fiscal year beginning July 1, ~~2010~~ 2011.

27

IOWA DEPARTMENT ON AGING CASE MANAGEMENT REVIEW

28

Sec. 46. 2010 Iowa Acts, chapter 1192, section 1, subsection
29 2, is amended to read as follows:

30

2. ~~a.~~ Of the funds appropriated in this section, \$1,246,514
31 shall be transferred to the department of human services in
32 equal amounts on a quarterly basis for reimbursement of case
33 management services provided under the medical assistance
34 elderly waiver. The department of human services shall adopt
35 rules for case management services provided under the medical

1 assistance elderly waiver in consultation with the department
2 on aging.

3 ~~b.—The department of human services shall review
4 projections for state funding expenditures for reimbursement
5 of case management services under the medical assistance
6 elderly waiver on a quarterly basis and shall determine if an
7 adjustment to the medical assistance reimbursement rates are
8 necessary to provide reimbursement within the state funding
9 amounts budgeted under the appropriations made for the fiscal
10 year for the medical assistance program. Any temporary
11 enhanced federal financial participation that may become
12 available for the medical assistance program during the fiscal
13 year shall not be used in projecting the medical assistance
14 elderly waiver case management budget. The department of human
15 services shall revise such reimbursement rates as necessary to
16 maintain expenditures for medical assistance elderly waiver
17 case management services within the state funding amounts
18 budgeted under the appropriations made for the fiscal year for
19 the medical assistance program.~~

20 IOWA VETERANS HOME

21 Sec. 47. 2010 Iowa Acts, chapter 1192, section 3, subsection
22 2, is amended by adding the following new paragraph:

23 NEW PARAGRAPH. d. The funds appropriated in this subsection
24 to the Iowa veterans home that remain available for expenditure
25 for the succeeding fiscal year pursuant to section 35D.18,
26 subsection 5, shall be distributed to be used in the succeeding
27 fiscal year in accordance with this lettered paragraph. The
28 first \$500,000 shall remain available to be used for the
29 purposes of the Iowa veterans home. On or before October 15,
30 2011, the department of management shall transfer the remaining
31 balance to the appropriation to the department of human
32 services for medical assistance.

33 MEDICAL ASSISTANCE PROGRAM

34 Sec. 48. 2010 Iowa Acts, chapter 1192, section 11, is
35 amended by adding the following new subsection:

1 NEW SUBSECTION. 25. The department may increase the amounts
2 allocated for salaries, support, maintenance, and miscellaneous
3 purposes associated with the medical assistance program as
4 necessary to implement cost containment efforts in order to
5 accomplish medical assistance program savings.

6 STATE SUPPLEMENTARY ASSISTANCE PROGRAM

7 Sec. 49. 2010 Iowa Acts, chapter 1192, section 14, is
8 amended by adding the following new subsection:

9 NEW SUBSECTION. 4. Notwithstanding section 8.33, moneys
10 appropriated in this section that remain unencumbered or
11 unobligated at the close of the fiscal year shall remain
12 available for expenditure for the purposes designated until the
13 close of the succeeding fiscal year.

14 IOWA DEPARTMENT ON AGING CASE MANAGEMENT REVIEW

15 Sec. 50. 2010 Iowa Acts, chapter 1192, section 37,
16 subsection 1, is amended to read as follows:

17 1. ~~a.~~ Of the funds appropriated in this section, \$1,010,000
18 shall be transferred to the department of human services in
19 equal amounts on a quarterly basis for reimbursement of case
20 management services provided under the medical assistance
21 elderly waiver.

22 ~~b.~~ ~~The department of human services shall review~~
23 ~~projections for state funding expenditures for reimbursement~~
24 ~~of case management services under the medical assistance~~
25 ~~elderly waiver on a quarterly basis and shall determine if an~~
26 ~~adjustment to the medical assistance reimbursement rates are~~
27 ~~necessary to provide reimbursement within the state funding~~
28 ~~amounts budgeted under the appropriations made for the fiscal~~
29 ~~year for the medical assistance program. Any temporary~~
30 ~~enhanced federal financial participation that may become~~
31 ~~available for the medical assistance program during the fiscal~~
32 ~~year shall not be used in projecting the medical assistance~~
33 ~~elderly waiver case management budget. The department of human~~
34 ~~services shall revise such reimbursement rates as necessary to~~
35 ~~maintain expenditures for medical assistance elderly waiver~~

1 ~~case management services within the state funding amounts~~
2 ~~budgeted under the appropriations made for the fiscal year for~~
3 ~~the medical assistance program.~~

4 Sec. 51. 2010 Iowa Acts, chapter 1192, section 44, is
5 amended to read as follows:

6 SEC. 44. QUALITY ASSURANCE TRUST FUND — DEPARTMENT OF HUMAN
7 SERVICES. Notwithstanding any provision to the contrary and
8 subject to the availability of funds, there is appropriated
9 from the quality assurance trust fund created in section
10 249L.4 to the department of human services for the fiscal year
11 beginning July 1, 2010, and ending June 30, 2011, the following
12 amounts, or so much thereof as is necessary for the purposes
13 designated:

14 To supplement the appropriation made in this Act from the
15 general fund of the state to the department of human services
16 for medical assistance:

17 \$ ~~13,900,000~~
18 33,708,458

19 1. Of the funds appropriated in this section, \$7,500,000
20 shall be used for nursing facility reimbursement under the
21 medical assistance program in accordance with the nursing
22 facility reimbursement provisions of division IV of this
23 Act, to continue application of the administrative rules
24 changes relating to nursing facility reimbursement and payment
25 procedures made pursuant to 2010 Iowa Acts, Senate File 2366,
26 if enacted, for the fiscal year beginning July 1, 2010, and
27 ending June 30, 2011, and to restore the 5 percent reduction
28 made in nursing facility reimbursement in accordance with
29 executive order number 19 issued October 8, 2009.

30 2. The costs associated with the implementation of this
31 section shall be funded exclusively through moneys appropriated
32 from the quality assurance trust fund, and shall result in
33 budget neutrality to the general fund of the state for the
34 fiscal year beginning July 1, 2010, and ending June 30, 2011.

35 **MERCHANT MARINE BONUS FUND TRANSFER**

1 Sec. 52. DEPARTMENT OF CULTURAL AFFAIRS — MERCHANT MARINE
2 BONUS FUND.

3 1. The appropriation made from the merchant marine bonus
4 fund to the department of cultural affairs for the fiscal year
5 beginning July 1, 2010, and ending June 30, 2011, in 2010 Iowa
6 Acts, chapter 1193, section 82, shall be transferred on the
7 effective date of this section to the department of veterans
8 affairs to be used for departmental costs.

9 2. Moneys transferred pursuant to this section that remain
10 unencumbered or unobligated at the close of the fiscal year
11 shall be credited to the veterans trust fund created in section
12 35A.13.

13 Sec. 53. FAMILY PLANNING WAIVER AND MAINTENANCE OF
14 EFFORT. Notwithstanding 2010 Iowa Acts, chapter 1192, section
15 11, subsection 24, the department of human services shall
16 not amend the medical assistance waiver for the Iowa family
17 planning network in accordance with that provision, but shall
18 instead continue the Iowa family planning waiver in effect
19 prior to June 30, 2011, and shall only amend the waiver to
20 increase the income eligibility percentage above the percentage
21 provided in the waiver in effect if necessary and only by the
22 minimum percentage required to comply with maintenance of
23 effort requirements.

24 Sec. 54. EFFECTIVE UPON ENACTMENT. This division of this
25 Act, being deemed of immediate importance, takes effect upon
26 enactment.

27 Sec. 55. RETROACTIVE APPLICABILITY. The section of
28 this division of this Act amending section 35A.8A, applies
29 retroactively to July 1, 2010.

30 DIVISION VIII

31 MISCELLANEOUS

32 Sec. 56. Section 232.188, subsection 5, paragraph b,
33 unnumbered paragraph 1, Code 2011, is amended to read as
34 follows:

35 Notwithstanding section 8.33, moneys designated for a

1 project's decategorization services funding pool that remain
2 unencumbered or unobligated at the close of the fiscal year
3 shall not revert but shall remain available for expenditure as
4 directed by the project's governance board for child welfare
5 and juvenile justice systems enhancements and other purposes of
6 the project ~~until the close of the succeeding fiscal year and~~
7 for the next two succeeding fiscal years. Such moneys shall be
8 known as "*carryover funding*". Moneys may be made available to a
9 funding pool from one or more of the following sources:

10 Sec. 57. Section 514I.5, subsection 8, paragraph h, Code
11 2011, is amended to read as follows:

12 *h.* The amount of any cost sharing under the program which
13 shall be assessed based on family income and which complies
14 with federal law. The rules shall establish for children of
15 families with incomes exceeding two hundred percent but not
16 exceeding three hundred percent of the federal poverty level,
17 family cost-sharing amounts, and graduated premiums based on a
18 rationally developed sliding fee schedule, in accordance with
19 federal law.

20 EXPLANATION

21 This bill relates to and makes appropriations for health
22 and human services for fiscal year 2011-2012 to the department
23 of veterans affairs, the Iowa veterans home, the department on
24 aging, the department of public health, Iowa finance authority,
25 state board of regents, department of inspections and appeals,
26 and the department of human services. The bill is organized
27 into divisions.

28 DEPARTMENT ON AGING. This division appropriates funding
29 from the general fund of the state for the department on aging.

30 DEPARTMENT OF PUBLIC HEALTH. This division appropriates
31 funding from the general fund of the state for the department
32 of public health.

33 DEPARTMENT OF VETERANS AFFAIRS. This division appropriates
34 funding from the general fund of the state for the department
35 of veterans affairs.

1 DEPARTMENT OF HUMAN SERVICES. The division appropriates
2 funding from the general fund of the state and the federal
3 temporary assistance for needy families block grant to the
4 department of human services. The allocation for the family
5 development and self-sufficiency grant program is made directly
6 to the department of human rights.

7 An appropriation is made from the health care trust fund for
8 the medical assistance (Medicaid) program in addition to the
9 general fund appropriation made for this purpose.

10 The reimbursement section addresses reimbursement for
11 providers reimbursed by the department of human services.

12 PHARMACEUTICAL SETTLEMENT ACCOUNT, IOWACARE ACCOUNT, HEALTH
13 CARE TRANSFORMATION ACCOUNT, MEDICAID FRAUD ACCOUNT, QUALITY
14 ASSURANCE TRUST FUND, AND HOSPITAL HEALTH CARE ACCESS TRUST
15 FUND. This division makes appropriations for fiscal year
16 2011-2012. The appropriation to the department of inspections
17 and appeals is made from the Medicaid fraud account.

18 The division makes an appropriation from the pharmaceutical
19 settlement account to the department of human services to
20 supplement the medical contracts appropriation.

21 The division makes appropriations from the IowaCare
22 account to the state board of regents for distribution to the
23 university of Iowa hospitals and clinics and to the department
24 of human services for distribution to a publicly owned acute
25 care teaching hospital in a county with a population over
26 350,000 related to the IowaCare program and indigent care. The
27 division makes an appropriation to the department of human
28 services from the health care transformation account for
29 various health care reform initiatives.

30 Appropriations are made to supplement the Medicaid program
31 from the following funds: quality assurance trust fund,
32 Medicaid fraud account, and hospital health care access trust
33 fund.

34 The division provides that if the total amount appropriated
35 from all sources for the medical assistance program for fiscal

1 year 2011-2012 exceeds the amount needed, the excess remains
2 available to be used for the program in the succeeding fiscal
3 year.

4 MH/MR/DD SERVICES ALLOWED GROWTH FUNDING FISCAL YEAR
5 2011-2012. This division allocates the appropriation made in
6 2010 Iowa Acts, chapter 1193, for distribution to counties for
7 adult mental illness, mental retardation, and developmental
8 disabilities services allowed growth for fiscal year 2011-2012.

9 The standing appropriation from the general fund of the
10 state of \$88.4 million for purposes of the property tax relief
11 fund in Code section 426B.1 is reduced to approximately \$81.2
12 million for FY 2011-2012.

13 PRIOR APPROPRIATIONS AND RELATED PROVISIONS. This division
14 addresses previous appropriations and related provisions.

15 Code section 35A.8A, relating to Vietnam conflict veterans
16 bonus compensation, is amended to change the application
17 deadline from July 1, 2010, to May 1, 2011. This change is
18 retroactive to July 1, 2010.

19 An existing nonreversion clause for purposes of the
20 appropriation made for the injured veterans grant program in
21 2008 Iowa Acts, chapter 1187, section 69, is extended through
22 FY 2011-2012.

23 Requirements in 2010 Iowa Acts, chapter 1192, sections 1 and
24 27, for quarterly review of reimbursement provisions for case
25 management services under the Medicaid program elderly waiver,
26 are deleted.

27 Funds remaining from the appropriation made in 2010 Iowa
28 Acts, chapter 1192, section 3, for the Iowa veterans home are
29 subject to a nonreversion clause under Code section 35D.18.
30 The bill provides for the first \$500,000 to be used for the
31 Iowa veterans home in the succeeding fiscal year and the
32 remainder to be transferred to the department of human services
33 to be used for the Medicaid program.

34 The appropriation made for the Medicaid program in 2010
35 Iowa Acts, chapter 1192, section 11, is amended to allow the

1 department of human services to increase the amounts allocated
2 for staffing as necessary to implement cost containment efforts
3 to accomplish Medicaid program savings.

4 A nonreversion clause is provided for the appropriation made
5 for the state supplementary assistance program in 2010 Iowa
6 Acts, chapter 1192, section 14.

7 The appropriation made from the quality assurance fund in
8 2010 Iowa Acts, chapter 1192, section 44, for the Medicaid
9 program, is increased.

10 An appropriation made from the merchant marine bonus fund
11 to the department of cultural affairs for FY 2010-2011 is
12 transferred to the department of veterans affairs on the
13 effective date of the provision. Transferred moneys remaining
14 at the close of the fiscal year are required to be credited to
15 the veterans trust fund.

16 MISCELLANEOUS. This division provides miscellaneous
17 statutory provisions.

18 The division directs the department of human services to
19 not amend the medical assistance waiver for the Iowa family
20 planning network as provided in 2010 Iowa Acts, chapter 1192,
21 and instead to continue the waiver as it exists on July 1,
22 2011, and to only increase the eligibility percentage to the
23 minimum extent necessary to comply with federal maintenance of
24 effort requirements.

25 The nonreversion clause in Code section 232.188 applicable
26 to carryover funding under the decategorization of child
27 welfare funding initiative, is extended for an additional
28 fiscal year.

29 Code section 514I.5 is amended to direct the hawk-i board
30 to adopt rules that establish for children of families
31 with incomes exceeding 200 percent but not 300 percent of
32 the federal poverty level, family cost-sharing amounts and
33 graduated premiums based on a rationally developed sliding fee
34 schedule, in accordance with federal law.